LAW ENFORCEMENT CODE OF ETHICS
As a law enforcement officer, my fundamental duty is to serve the community; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation and the peaceful against violence or disorder; and to respect the constitutional rights of all to liberty, equality and justice.

I will keep my private life unsullied as an example to all and will behave in a manner that does not bring discredit to me or to my agency. I will maintain courageous calm in the face of danger, scorn or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed both in my personal and official life, I will be exemplary in obeying the law and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, political beliefs, aspirations, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of police service. I will never engage in acts of corruption or bribery, nor will I condone such acts by other police officers. I will cooperate with all legally authorized agencies and their representatives in the pursuit of justice.

I know that I alone am responsible for my own standard of professional performance and will take every reasonable opportunity to enhance and improve my level of knowledge and competence. I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession . . . law enforcement.
MISSION AND VALUES

Mission:
The duty of the Pleasant Hill Police Department is to lawfully protect the lives and property of the people who live in or visit Pleasant Hill while safeguarding individual rights and liberties. Our mission is to provide the highest level of professional police service to all members of the community. We are committed to the impartial and lawful resolution of problems. We seek to ensure a quality of life that allows residents and visitors to feel safe.

We strive to build and maintain the public’s trust.

Values:
We seek to accomplish our duty and mission through actions based upon the following values:

• Respect - We treat all people with dignity and respect; we do not act officiously or misuse the powers of our office. We do not permit personal opinion, feelings, prejudice, or friendships to influence our decisions or actions.

• Courage – We possess the strength to do what is right and sensible. We make tough decisions and take appropriate action under stress and pressure; we properly intervene in the face of danger.

• Integrity – We are honest and truthful in our words and actions. We believe that the powers of our office require us to adhere to a higher standard of conduct on and off duty.

• Service- We place community service above self interest. We are committed to protecting the community.
# Table of Contents

Law Enforcement Code of Ethics ............................................... 1

Mission and Values ............................................................... 2

Chapter 1 - Law Enforcement Role and Authority .......................... 8
  100 - Law Enforcement Authority ........................................... 9
  101 - Chief Executive Officer ............................................... 11
  102 - Individual Responsibilities ......................................... 12
  103 - Oath of Office ......................................................... 29
  104 - Policy Manual ......................................................... 30

Chapter 2 - Organization and Administration .............................. 34
  200 - Organizational Structure and Responsibility ...................... 35
  201 - Department Orders .................................................... 37
  202 - Emergency Management Plan ....................................... 38
  203 - Electronic Mail ....................................................... 39
  204 - Administrative Communications ................................... 41
  205 - Staffing Levels ....................................................... 42
  206 - License to Carry a Firearm ......................................... 48
  207 - Retiree Concealed Firearms ......................................... 56
  208 - Training Policy ...................................................... 61

Chapter 3 - General Operations ............................................... 63
  300 - Use of Force ............................................................ 64
  301 - Deadly Force Review .................................................. 72
  302 - Handcuffing and Restraints ........................................ 74
  303 - TASERS ................................................................. 78
  304 - Officer-Involved Shooting ......................................... 85
  305 - Firearms ............................................................... 93
  306 - Vehicle Pursuits ..................................................... 102
  307 - Tire Deflation Devices ............................................. 115
  308 - Control Devices and Techniques ................................... 118
  309 - Officer Response to Calls ......................................... 127
  310 - Problem Solving ...................................................... 130
  311 - Police Service Dog Program ...................................... 133
  312 - Domestic Violence ................................................... 147
  313 - Search and Seizure ................................................... 154
  314 - Search Warrant Protocol .......................................... 156
  315 - Temporary Custody of Juveniles .................................. 158
  316 - Youth Services Bureau ............................................. 171
  316 - Adult Abuse .......................................................... 172
  317 - Private Patrol Service ............................................. 181
  318 - Child Abuse .......................................................... 182
  319 - Terrorism Reporting ................................................. 190
<table>
<thead>
<tr>
<th>Chapter 3</th>
<th>Topics</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>320</td>
<td>Missing Persons</td>
<td>191</td>
</tr>
<tr>
<td>321</td>
<td>AMBER and BLUE ALERTS</td>
<td>198</td>
</tr>
<tr>
<td>322</td>
<td>Victim and Witness Assistance</td>
<td>203</td>
</tr>
<tr>
<td>323</td>
<td>Hate Crimes</td>
<td>206</td>
</tr>
<tr>
<td>324</td>
<td>Disciplinary Policy</td>
<td>211</td>
</tr>
<tr>
<td>325</td>
<td>Information Technology Use</td>
<td>220</td>
</tr>
<tr>
<td>326</td>
<td>Discriminatory Harassment</td>
<td>224</td>
</tr>
<tr>
<td>327</td>
<td>Report Preparation</td>
<td>229</td>
</tr>
<tr>
<td>328</td>
<td>Media Relations</td>
<td>250</td>
</tr>
<tr>
<td>329</td>
<td>Report Review/Case Assignments</td>
<td>254</td>
</tr>
<tr>
<td>330</td>
<td>Trespass Authorization Letter</td>
<td>255</td>
</tr>
<tr>
<td>331</td>
<td>Court Appearance And Subpoenas</td>
<td>257</td>
</tr>
<tr>
<td>332</td>
<td>Reserve Officers</td>
<td>262</td>
</tr>
<tr>
<td>333</td>
<td>Police Chaplain Program</td>
<td>269</td>
</tr>
<tr>
<td>334</td>
<td>Mutual Aid and Outside Agency Assistance</td>
<td>276</td>
</tr>
<tr>
<td>335</td>
<td>Taxi Operator Permits</td>
<td>278</td>
</tr>
<tr>
<td>336</td>
<td>Megan's Law</td>
<td>279</td>
</tr>
<tr>
<td>337</td>
<td>Major Incident Notification</td>
<td>281</td>
</tr>
<tr>
<td>338</td>
<td>Death Investigation</td>
<td>283</td>
</tr>
<tr>
<td>339</td>
<td>Identity Theft/Financial Crimes</td>
<td>286</td>
</tr>
<tr>
<td>340</td>
<td>Private Persons Arrests</td>
<td>290</td>
</tr>
<tr>
<td>341</td>
<td>Anti-Reproductive Rights Crimes Reporting</td>
<td>292</td>
</tr>
<tr>
<td>342</td>
<td>Limited English Proficiency Services</td>
<td>294</td>
</tr>
<tr>
<td>343</td>
<td>Communications with Persons with Disabilities</td>
<td>300</td>
</tr>
<tr>
<td>344</td>
<td>Mandatory Employer Notification</td>
<td>308</td>
</tr>
<tr>
<td>345</td>
<td>Biological Samples</td>
<td>310</td>
</tr>
<tr>
<td>346</td>
<td>Automatic External Defibrillator (AED) Use</td>
<td>313</td>
</tr>
<tr>
<td>347</td>
<td>Aggressive/Dangerous or Vicious Animals</td>
<td>315</td>
</tr>
<tr>
<td>348</td>
<td>Child and Dependent Adult Safety</td>
<td>318</td>
</tr>
<tr>
<td>349</td>
<td>Service Animal Policy</td>
<td>322</td>
</tr>
<tr>
<td>350</td>
<td>Off-Duty Law Enforcement Actions</td>
<td>325</td>
</tr>
<tr>
<td>351</td>
<td>Hazardous Material Response</td>
<td>327</td>
</tr>
<tr>
<td>352</td>
<td>Gun Violence Restraining Orders</td>
<td>327</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Chapter 4</th>
<th>Patrol Operations</th>
<th>330</th>
</tr>
</thead>
<tbody>
<tr>
<td>400</td>
<td>Patrol Function/Information Sharing</td>
<td>331</td>
</tr>
<tr>
<td>401</td>
<td>Daily Bulletin</td>
<td>334</td>
</tr>
<tr>
<td>402</td>
<td>Bias-Based Policing</td>
<td>336</td>
</tr>
<tr>
<td>403</td>
<td>Field Interrogation Cards</td>
<td>338</td>
</tr>
<tr>
<td>404</td>
<td>Briefing &amp; Training</td>
<td>339</td>
</tr>
<tr>
<td>405</td>
<td>Evidence Collection/Shoplifting Cases</td>
<td>340</td>
</tr>
<tr>
<td>406</td>
<td>Crime and Disaster Scene Integrity</td>
<td>341</td>
</tr>
<tr>
<td>407</td>
<td>Party Response</td>
<td>343</td>
</tr>
<tr>
<td>408</td>
<td>Vacation House Checks</td>
<td>345</td>
</tr>
<tr>
<td>409</td>
<td>Ride-Along Policy</td>
<td>346</td>
</tr>
<tr>
<td>410</td>
<td>Hazardous Material Response</td>
<td>349</td>
</tr>
<tr>
<td>411</td>
<td>211 PC Alarm Response</td>
<td>351</td>
</tr>
<tr>
<td>412</td>
<td>Hostages and Barricaded Suspects</td>
<td>352</td>
</tr>
<tr>
<td>Code</td>
<td>Policy Title</td>
<td>Page</td>
</tr>
<tr>
<td>------</td>
<td>--------------------------------------------------</td>
<td>------</td>
</tr>
<tr>
<td>413</td>
<td>Code 666 Policy</td>
<td>354</td>
</tr>
<tr>
<td>414</td>
<td>Response to Bomb Calls</td>
<td>357</td>
</tr>
<tr>
<td>415</td>
<td>Extra Patrol Requests</td>
<td>361</td>
</tr>
<tr>
<td>416</td>
<td>Mental Illness Commitments</td>
<td>362</td>
</tr>
<tr>
<td>417</td>
<td>Cite and Release Policy</td>
<td>365</td>
</tr>
<tr>
<td>418</td>
<td>Retention of Alcoholic Beverages</td>
<td>370</td>
</tr>
<tr>
<td>419</td>
<td>Arrest or Detention of Foreign Nationals</td>
<td>371</td>
</tr>
<tr>
<td>420</td>
<td>Rapid Response and Deployment Policy</td>
<td>378</td>
</tr>
<tr>
<td>421</td>
<td>Alcoholic Beverage Control Permits</td>
<td>381</td>
</tr>
<tr>
<td>422</td>
<td>Reporting Police Activity Outside of Jurisdiction</td>
<td>382</td>
</tr>
<tr>
<td>423</td>
<td>Immigration Violations</td>
<td>383</td>
</tr>
<tr>
<td>424</td>
<td>Emergency Utility Service</td>
<td>389</td>
</tr>
<tr>
<td>425</td>
<td>Flooding</td>
<td>391</td>
</tr>
<tr>
<td>426</td>
<td>Department Rifles</td>
<td>393</td>
</tr>
<tr>
<td>427</td>
<td>Aircraft Accidents</td>
<td>396</td>
</tr>
<tr>
<td>428</td>
<td>Field Training Officer Program</td>
<td>400</td>
</tr>
<tr>
<td>429</td>
<td>Obtaining Air Support</td>
<td>401</td>
</tr>
<tr>
<td>430</td>
<td>Detentions And Photographing Detainees</td>
<td>402</td>
</tr>
<tr>
<td>431</td>
<td>Watch Commanders</td>
<td>407</td>
</tr>
<tr>
<td>432</td>
<td>Mobile Data System Use</td>
<td>408</td>
</tr>
<tr>
<td>433</td>
<td>Portable Audio/Video Recorders</td>
<td>410</td>
</tr>
<tr>
<td>434</td>
<td>Medical Marijuana</td>
<td>419</td>
</tr>
<tr>
<td>435</td>
<td>Tobacco Products and Juveniles</td>
<td>422</td>
</tr>
<tr>
<td>436</td>
<td>Foot Pursuit Policy</td>
<td>423</td>
</tr>
<tr>
<td>437</td>
<td>Automated License Plate Readers (ALPRs)</td>
<td>428</td>
</tr>
<tr>
<td>438</td>
<td>Homeless Persons</td>
<td>432</td>
</tr>
<tr>
<td>439</td>
<td>Public Recording of Law Enforcement Activity</td>
<td>437</td>
</tr>
<tr>
<td>440</td>
<td>Civil Disputes</td>
<td>440</td>
</tr>
<tr>
<td>441</td>
<td>Medical Aid and Response</td>
<td>442</td>
</tr>
<tr>
<td>442</td>
<td>First Amendment Assemblies</td>
<td>446</td>
</tr>
</tbody>
</table>

**Chapter 5 - Traffic Operations**

<table>
<thead>
<tr>
<th>Code</th>
<th>Traffic Function and Responsibility</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>500</td>
<td>Traffic Function and Responsibility</td>
<td>453</td>
</tr>
<tr>
<td>501</td>
<td>Traffic Collision Reporting</td>
<td>460</td>
</tr>
<tr>
<td>502</td>
<td>Vehicle Towing and Release</td>
<td>463</td>
</tr>
<tr>
<td>503</td>
<td>Vehicle Impound Hearings</td>
<td>468</td>
</tr>
<tr>
<td>504</td>
<td>Impaired Driving and Evidence Collection</td>
<td>470</td>
</tr>
<tr>
<td>505</td>
<td>Traffic Citations</td>
<td>479</td>
</tr>
<tr>
<td>506</td>
<td>Disabled Vehicles</td>
<td>482</td>
</tr>
<tr>
<td>507</td>
<td>Directed Traffic Enforcement</td>
<td>484</td>
</tr>
<tr>
<td>508</td>
<td>72-Hour Parking Violations</td>
<td>485</td>
</tr>
<tr>
<td>509</td>
<td>Administrative Per Se Law (APS)</td>
<td>487</td>
</tr>
<tr>
<td>510</td>
<td>Motorcycle Use</td>
<td>490</td>
</tr>
</tbody>
</table>

**Chapter 6 - Investigation Operations**

<table>
<thead>
<tr>
<th>Code</th>
<th>Investigation and Prosecution</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>600</td>
<td>Investigation and Prosecution</td>
<td>492</td>
</tr>
<tr>
<td>601</td>
<td>Sexual Assault Investigations</td>
<td>498</td>
</tr>
<tr>
<td>Chapter</td>
<td>Title</td>
<td>Page</td>
</tr>
<tr>
<td>---------</td>
<td>--------------------------------------------</td>
<td>------</td>
</tr>
<tr>
<td>602</td>
<td>Asset Forfeiture Policy</td>
<td>504</td>
</tr>
<tr>
<td>603</td>
<td>Informants</td>
<td>507</td>
</tr>
<tr>
<td>604</td>
<td>Eyewitness Identification</td>
<td>518</td>
</tr>
<tr>
<td>605</td>
<td>Investigations Division Vehicles</td>
<td>524</td>
</tr>
<tr>
<td>606</td>
<td>Investigator Monthly Statistics</td>
<td>525</td>
</tr>
<tr>
<td>607</td>
<td>Priority of Report Assignments</td>
<td>526</td>
</tr>
<tr>
<td>608</td>
<td>Search Warrant Protocol</td>
<td>527</td>
</tr>
<tr>
<td>609</td>
<td>Alarm Permits</td>
<td>528</td>
</tr>
<tr>
<td>610</td>
<td>Investigations Dress Code</td>
<td>529</td>
</tr>
<tr>
<td>611</td>
<td>Masseuse Permits</td>
<td>531</td>
</tr>
<tr>
<td>612</td>
<td>Sex and Arson Registrants</td>
<td>533</td>
</tr>
<tr>
<td>613</td>
<td>Investigator Call Outs</td>
<td>535</td>
</tr>
<tr>
<td>614</td>
<td>Operations Planning and Deconflictation</td>
<td>536</td>
</tr>
<tr>
<td></td>
<td><strong>Chapter 7 - Equipment</strong></td>
<td>542</td>
</tr>
<tr>
<td>700</td>
<td>Department Owned and Personal Property</td>
<td>543</td>
</tr>
<tr>
<td>701</td>
<td>Personal Communication Devices</td>
<td>545</td>
</tr>
<tr>
<td>702</td>
<td>Vehicle Maintenance</td>
<td>550</td>
</tr>
<tr>
<td>703</td>
<td>Vehicle Use Policy</td>
<td>552</td>
</tr>
<tr>
<td></td>
<td><strong>Chapter 8 - Support Services</strong></td>
<td>556</td>
</tr>
<tr>
<td>800</td>
<td>Crime Analysis</td>
<td>557</td>
</tr>
<tr>
<td>801</td>
<td>NCIC Validation Procedures</td>
<td>558</td>
</tr>
<tr>
<td>802</td>
<td>Dispatch</td>
<td>561</td>
</tr>
<tr>
<td>803</td>
<td>Dispatcher Duties</td>
<td>568</td>
</tr>
<tr>
<td>804</td>
<td>Property and Evidence</td>
<td>573</td>
</tr>
<tr>
<td>805</td>
<td>Support Services Division</td>
<td>579</td>
</tr>
<tr>
<td>806</td>
<td>Restoration of Firearm Serial Numbers</td>
<td>583</td>
</tr>
<tr>
<td>807</td>
<td>Marijuana Records Purge Requirements</td>
<td>585</td>
</tr>
<tr>
<td>808</td>
<td>Records Maintenance and Release</td>
<td>590</td>
</tr>
<tr>
<td>809</td>
<td>Stolen Vehicle System</td>
<td>600</td>
</tr>
<tr>
<td>810</td>
<td>Protected Information</td>
<td>601</td>
</tr>
<tr>
<td>811</td>
<td>Case Folders</td>
<td>606</td>
</tr>
<tr>
<td>812</td>
<td>Computers and Digital Evidence</td>
<td>607</td>
</tr>
<tr>
<td>813</td>
<td>Visa Clearance Letters</td>
<td>611</td>
</tr>
<tr>
<td>814</td>
<td>Automated Boat System</td>
<td>612</td>
</tr>
<tr>
<td>815</td>
<td>Automated Firearms System</td>
<td>613</td>
</tr>
<tr>
<td>816</td>
<td>Automated Property System</td>
<td>614</td>
</tr>
<tr>
<td>817</td>
<td>Cash Box</td>
<td>615</td>
</tr>
<tr>
<td>818</td>
<td>Report Distribution</td>
<td>616</td>
</tr>
<tr>
<td>819</td>
<td>Merchant Cards</td>
<td>618</td>
</tr>
<tr>
<td>820</td>
<td>Community Message Notification (NIXLE)</td>
<td>619</td>
</tr>
<tr>
<td>821</td>
<td>Pharmaceutical Collection Policy</td>
<td>621</td>
</tr>
<tr>
<td></td>
<td><strong>Chapter 9 - Custody</strong></td>
<td>623</td>
</tr>
<tr>
<td>900</td>
<td>Temporary Holding Facility-Policy and Procedures Manual</td>
<td>624</td>
</tr>
<tr>
<td>901</td>
<td>Custodial Searches</td>
<td>639</td>
</tr>
<tr>
<td>Section</td>
<td>Page</td>
<td></td>
</tr>
<tr>
<td>------------------------------------------------------------------------</td>
<td>------</td>
<td></td>
</tr>
<tr>
<td>902 - Prisoner Property Inventory</td>
<td>645</td>
<td></td>
</tr>
<tr>
<td>903 - Acceptance of Bail</td>
<td>646</td>
<td></td>
</tr>
<tr>
<td><strong>Chapter 10 - Personnel</strong></td>
<td>648</td>
<td></td>
</tr>
<tr>
<td>1000 - Recruitment and Selection</td>
<td>649</td>
<td></td>
</tr>
<tr>
<td>1001 - Evaluation of Employees</td>
<td>655</td>
<td></td>
</tr>
<tr>
<td>1002 - Promotional and Transfer Policy</td>
<td>658</td>
<td></td>
</tr>
<tr>
<td>1003 - Grievance Procedure</td>
<td>660</td>
<td></td>
</tr>
<tr>
<td>1004 - Reporting of Employee Convictions</td>
<td>662</td>
<td></td>
</tr>
<tr>
<td>1005 - Alcohol and Drug Use</td>
<td>664</td>
<td></td>
</tr>
<tr>
<td>1006 - Personal Data</td>
<td>667</td>
<td></td>
</tr>
<tr>
<td>1007 - Sick Leave Reporting</td>
<td>668</td>
<td></td>
</tr>
<tr>
<td>1008 - Communicable Diseases</td>
<td>670</td>
<td></td>
</tr>
<tr>
<td>1009 - Smoking and Tobacco Use</td>
<td>675</td>
<td></td>
</tr>
<tr>
<td>1010 - Seat Belts</td>
<td>676</td>
<td></td>
</tr>
<tr>
<td>1011 - Body Armor</td>
<td>678</td>
<td></td>
</tr>
<tr>
<td>1012 - Peace Officer Personnel Files</td>
<td>681</td>
<td></td>
</tr>
<tr>
<td>1013 - Request for Change of Assignment</td>
<td>688</td>
<td></td>
</tr>
<tr>
<td>1014 - Employee Commendations</td>
<td>689</td>
<td></td>
</tr>
<tr>
<td>1015 - Respiratory Protection Program</td>
<td>690</td>
<td></td>
</tr>
<tr>
<td>1016 - Fitness for Duty</td>
<td>691</td>
<td></td>
</tr>
<tr>
<td>1017 - Meal Periods and Breaks</td>
<td>694</td>
<td></td>
</tr>
<tr>
<td>1018 - Lactation Break Policy</td>
<td>695</td>
<td></td>
</tr>
<tr>
<td>1019 - Time Card Procedures</td>
<td>697</td>
<td></td>
</tr>
<tr>
<td>1020 - Personnel Complaint Procedure</td>
<td>698</td>
<td></td>
</tr>
<tr>
<td>1021 - Overtime Payment Requests</td>
<td>706</td>
<td></td>
</tr>
<tr>
<td>1022 - Outside Employment</td>
<td>708</td>
<td></td>
</tr>
<tr>
<td>1023 - On Duty Injuries</td>
<td>713</td>
<td></td>
</tr>
<tr>
<td>1024 - Personal Appearance Standards</td>
<td>716</td>
<td></td>
</tr>
<tr>
<td>1025 - Uniform Regulations</td>
<td>718</td>
<td></td>
</tr>
<tr>
<td>1026 - Uniform Specifications for Non-Sworn Personnel</td>
<td>736</td>
<td></td>
</tr>
<tr>
<td>1027 - Department Badges</td>
<td>743</td>
<td></td>
</tr>
<tr>
<td>1028 - Awards Program</td>
<td>745</td>
<td></td>
</tr>
<tr>
<td>1029 - Employee Speech, Expression and Social Networking</td>
<td>748</td>
<td></td>
</tr>
<tr>
<td><strong>Attachments</strong></td>
<td>752</td>
<td></td>
</tr>
<tr>
<td>Naloxone Usage Reporting Form.pdf</td>
<td>753</td>
<td></td>
</tr>
<tr>
<td>PROTOCOL MANUAL LEIFI (2015-2016 VERSION).pdf</td>
<td>754</td>
<td></td>
</tr>
<tr>
<td>Commission on Peace Officer Standards and Training Hate Crimes Model Policy 2019.pdf</td>
<td>755</td>
<td></td>
</tr>
</tbody>
</table>
Chapter 1 - Law Enforcement Role and Authority
Law Enforcement Authority

100.1 PURPOSE AND SCOPE
The purpose of this policy is to affirm the authority of the members of the Pleasant Hill Police Department to perform their functions based on established legal authority.

100.2 PEACE OFFICER POWERS
Sworn members of this department are authorized to exercise peace officer powers pursuant to applicable state law (Penal Code § 830.1 et seq.).

100.2.1 ARREST AUTHORITY OUTSIDE THE JURISDICTION OF THE PLEASANT HILL POLICE DEPARTMENT
The arrest authority outside the jurisdiction of the Pleasant Hill Police Department includes (Penal Code § 830.1; Penal Code § 836):

(a) When the officer has probable cause to believe the person committed a felony.
(b) When the officer has probable cause to believe the person has committed a misdemeanor in the presence of the officer and the officer reasonably believes there is immediate danger to person or property or of escape.
(c) When the officer has probable cause to believe the person has committed a misdemeanor for which an arrest is authorized even if not committed in the presence of the officer such as certain domestic violence offenses and there is immediate danger to person or property or of escape or the arrest is mandated by statute.
(d) When authorized by a cross jurisdictional agreement with the jurisdiction in which the arrest is made.
(e) In compliance with an arrest warrant.

On-duty arrests will not generally be made outside the jurisdiction of this department except in cases of hot or fresh pursuit, while following up on crimes committed with the City or while assisting another agency.

On-duty officers who discover criminal activity outside the jurisdiction of the City should, when circumstances permit, consider contacting the agency having primary jurisdiction before attempting an arrest.

100.2.2 ARREST AUTHORITY INSIDE THE JURISDICTION OF THE PLEASANT HILL POLICE DEPARTMENT
The arrest authority within the jurisdiction of the Pleasant Hill Police Department includes (Penal Code § 830.1; Penal Code § 836):

(a) When the officer has probable cause to believe the person has committed a felony, whether or not committed in the presence of the officer.
(b) When the officer has probable cause to believe the person has committed a misdemeanor in this jurisdiction and in the presence of the officer.
Law Enforcement Authority

(c) When the officer has probable cause to believe the person has committed a public offense outside this jurisdiction, in the presence of the officer and the officer reasonably believes there is an immediate danger to person or property, or of escape.

(d) When the officer has probable cause to believe the person has committed a misdemeanor for which an arrest is authorized or required by statute even though the offense has not been committed in the presence of the officer such as certain domestic violence offenses.

(e) In compliance with an arrest warrant.

100.2.3 TIME OF MISDEMEANOR ARRESTS
Officers shall not arrest a person for a misdemeanor between the hours of 10:00 p.m. of any day and 6:00 a.m. of the next day unless (Penal Code § 840):

(a) The arrest is made without a warrant pursuant to Penal Code § 836 which includes:
   1. A misdemeanor committed in the presence of the officer.
   2. Misdemeanor domestic violence offenses (See the Domestic Violence Policy).

(b) The arrest is made in a public place.

(c) The arrest is made with the person in custody pursuant to another lawful arrest.

(d) The arrest is made pursuant to a warrant which, for good cause shown, directs that it may be served at any time of the day or night.

100.3 POLICY
It is the policy of the Pleasant Hill Police Department to limit its members to only exercise the authority granted to them by law.

While this department recognizes the power of peace officers to make arrests and take other enforcement action, officers are encouraged to use sound discretion in the enforcement of the law. This department does not tolerate the abuse of law enforcement authority.

100.4 INTERSTATE PEACE OFFICER POWERS
Peace officer powers may be extended to other states:

(a) As applicable under interstate compacts, memorandums of understanding or mutual aid agreements in compliance with the laws of each state.

(b) When an officer enters an adjoining state in close or fresh pursuit of a person believed to have committed a felony (ARS § 13-3832; NRS 171.158; ORS 133.430).

The person arrested out of state must be taken without unnecessary delay before a magistrate of the county in which the arrest was made (ARS § 13-3833; NRS 171.158; ORS 133.440).

100.5 CONSTITUTIONAL REQUIREMENTS
All members shall observe and comply with every person’s clearly established rights under the United States and California Constitutions.
Chief Executive Officer

101.1 PURPOSE AND SCOPE
The California Commission on Peace Officer Standards and Training (POST) has mandated that all sworn officers and dispatchers employed within the State of California shall receive certification by POST within prescribed time periods.

101.1.1 CHIEF EXECUTIVE OFFICER REQUIREMENTS
Any chief executive officer of this department appointed after January 1, 1999, shall, as a condition of continued employment, complete the course of training prescribed by POST and obtain the Basic Certificate by POST within two years of appointment (Penal Code § 832.4).
Individual Responsibilities

102.1 PURPOSE AND SCOPE
The purpose of this policy is to outline the responsibilities for positions at the Pleasant Hill Police Department.

102.2 OFFICE OF THE CHIEF OF POLICE
Definition - To plan, direct, supervise and coordinate the activities of the Police Department in law enforcement and crime prevention; and to provide highly responsible and technical staff assistance to the City Manager and City Council.

102.2.1 EXAMPLES OF DUTIES
Duties may include, but are not limited to, the following:

(a) Direct and participate in the development of goals, objectives, policies and priorities.
(b) Plan, direct, supervise and coordinate the activities of Police Department personnel in preserving order, protecting life and property, and in enforcing laws and municipal ordinances.
(c) Formulate Departmental rules, procedures and polices, and see that they are carried out.
(d) Research modern police management methods; formulate and enforce rules, procedures and policies for efficient operation of the Department.
(e) Direct the development and implementation of a Department in-service training program.
(f) Review the evaluations of employee performance and take appropriate disciplinary action where necessary.
(g) Maintain liaison with the press to assure appropriate coverage.
(h) Confer with citizens and City officials on law enforcement problems and assist in the development of innovative municipal law enforcement policies.
(i) Attend national, state, county and area police conferences and meetings with other public officials.
(j) Cultivate and encourage good community relations.
(k) Appear before and/or participate in civic, fraternal and other community groups.
(l) Direct and participate in the preparation and administration of the Department budget.
(m) Supervise the development, administration and enforcement of Departmental responsibilities in such matters as safety and emergency preparedness.
(n) Coordinate law enforcement activities with the activities of other City departments and other law enforcement agencies.
(o) Review and approve purchase orders for Departmental equipment and supplies.
Individual Responsibilities

(p) Select, supervise, train and evaluate assigned staff.
(q) Perform other related duties as assigned by the City Manager.

102.3 POLICE CAPTAIN

Definition - To assist the Chief of Police in the overall operation of the Department; to supervise bureau heads in their respective division; and to assume the duties of the Chief of Police in the Chief's absence.

102.3.1 EXAMPLES OF DUTIES

Duties may include, but are not limited to, the following:

(a) Assist in the development and implementation of goals, objectives, policies and priorities in the Department.
(b) Coordinate the operation and activities of uniform patrol, investigations and services staff in preserving order, protecting life and property, and in enforcing laws and municipal ordinances.
(c) Research modern police management methods; formulate and enforce rules, procedures and policies for efficient operation of the Department.
(d) Direct the implementation of in-service training programs for assigned personnel.
(e) Review the evaluations of employee performance and take appropriate action where necessary; perform other personnel management tasks.
(f) Assist in preparing and monitoring the Department budget.
(g) Confer with citizens, City officials and other criminal justice agencies on law enforcement problems and assist in the development of innovative municipal law enforcement practices.
(h) Assist in coordinating law enforcement activities with the activities of other City Departments and other law enforcement agencies.
(i) Act as a liaison to the communications media to assure appropriate press coverage.
(j) Supervise major investigations.
(k) Respond to citizen complaints involving Department personnel.
(l) Evaluate and develop programs pertaining to Departmental safety.
(m) Serve as Chief of Police in the Chief's absence.
(n) Perform related duties as assigned.

102.4 POLICE LIEUTENANT

Definition - To perform responsible administrative, investigative and technical work in directing the activities of a major bureau of the Police Department; and to perform highly responsible and technical staff assistance.

102.4.1 EXAMPLES OF DUTIES

Duties may include, but are not limited to, the following:
Individual Responsibilities

(a) Assist in the development and implementation of goals, objectives, policies and priorities.

(b) Plan, direct, supervise and coordinate the activities of sworn and non-sworn personnel in preserving order, protecting life and property, and in enforcing laws and municipal ordinances as the operating manager of the Patrol, Investigations, or Support Services Division.

(c) Study crime reports and current literature in law enforcement to determine trends and make recommendations for changes in organization and operating policies and procedures.

(d) Supervise the implementation of in-service training programs for assigned personnel.

(e) Maintain liaison with the communications media.

(f) Review the evaluations of employee performance and take appropriate action where necessary.

(g) Make budget recommendations.

(h) Monitor problem areas in their Division and devise solutions, including special assignments and modifying deployments.

(i) Respond to difficult citizen complaints and requests for information.

(j) Coordinate police activities with other City Departments and Divisions, and with outside agencies.

(k) Supervise, train and evaluate assigned staff.

(l) Coordination, supervision and evaluation of the Field Training Officer Program in the Patrol Division.

(m) Conduct studies and analyze the operation of the Division or a program and prepare reports.

(n) Perform related duties as assigned.

102.5 POLICE SERGEANT

Definition - To have responsible charge of police field and/or office operations on an assigned shift; and to supervise and personally perform patrol, administrative or investigation duties.

102.5.1 PROFESSIONAL STANDARDS SERGEANT

Duties may include, but are not limited to, the following:

(a) Responsible for all department training

(b) Recruiting, hiring, and orientation of new employees

(c) Conduct Administrative Investigations as assigned

(d) Liaison with police training organizations (Law Enforcement Training Advisory Committee (LETAC), California Association of Police Training Officers (CAPTO), CA Police Officers Standards and Training)

(e) Planning and research for training, policy, and legal updates.
Individual Responsibilities

(f) Career counseling for employees
(g) Perform other duties as assigned.

102.5.2 INVESTIGATIONS SERGEANT
Duties may include, but are not limited to, the following:

(a) Maintain discipline and ensure that Department rules and policies are followed.
(b) Supervise and assist officers in follow-up investigations including the gathering of evidence, questioning of witnesses, apprehension of suspects, and community relations endeavors. May also be assigned cases for action.
(c) Supervise and participate in preparation of reports in cases for trial.
(d) Confer with prosecutors and maintain contact with other law enforcement agencies.
(e) Review reports submitted by officers.
(f) Interview victims, complainants, witnesses and interrogate suspects.
(g) Coordinate major crime scenes.
(h) Prepare press releases; confer with the news media; provide general information regarding policies and procedures.
(i) Conduct investigations and prepare necessary reports.
(j) Testify and present evidence in court.
(k) Contact and cooperate with other law enforcement agencies in matters relating to the investigation of crimes and the apprehension of offenders.
(l) Prepare budget recommendations and may monitor Division Expenditures.
(m) Supervise, train and evaluate assigned staff.
(n) Assume the duties of the Division Commander in the Commander's absence.
(o) Perform related duties as assigned.

102.5.3 PATROL SERGEANT (WATCH COMMANDER)
Duties may include, but are not limited to, the following:

(a) Supervise law enforcement field activities during an assigned shift, supervise patrol officers and non-sworn personnel, supervise investigation of traffic accidents, monitor citations issued, and analyze traffic law enforcement needs.
(b) Maintain discipline and ensure that Department rules and policies are followed.
(c) Supervise and assist officers in follow-up investigations including the gathering of evidence, questioning of witnesses, apprehension of suspects, and community relations endeavors.
(d) Participate in all normal shift activities as assigned, including enforcing local and state laws, may issue citations, make arrests and transport prisoners.
(e) Supervise and participate in preparation of reports in cases for trial.
Individual Responsibilities

(f) Confer with prosecutors and maintain contact with other law enforcement agencies.
(g) Review reports submitted by officers.
(h) Conduct in-service training.
(i) Prepare reports of shift activity.
(j) May interview victims, complainants, witnesses and interrogate suspects.
(k) Coordinate major crime, accident and disaster scenes.
(l) Distribute community notifications and updates related to crime, accident, and disaster scenes.
(m) Prepare press releases; confer with the news media; provide general information regarding policies and procedures.
(n) May conduct investigations and prepare necessary reports.
(o) May testify and present evidence in court.
(p) Contact and cooperate with other law enforcement agencies in matters relating to the investigation of crimes and the apprehension of offenders.
(q) Supervise booking procedures and record keeping regarding prisoners.
(r) Respond to citizen complaints and requests for information.
(s) Analyze and synthesize a variety of data concerning Departmental activities, and prepare reports and statistics.
(t) Prepare budget recommendations and may monitor Division expenditures.
(u) Conduct background investigations for prospective employees.
(v) Supervise, train and evaluate assigned staff.
(w) Conduct briefings and roll-call training.
(x) Attend community service organization meetings and make presentations.
(y) Perform related duties as assigned.

102.6 POLICE CORPORAL
Definition - The Police Corporal, besides his/her general patrol responsibilities, assists a Watch Commander with the operation of a given shift and acts as the Watch Commander in his/her absence. Performs general duties of a Police Sergeant when acting in this capacity. May be directed to assist with shift or Department training, including service as a Field Training Officer.

102.6.1 EXAMPLES OF DUTIES
Duties may include, but are not limited to, the following:

(a) Act as the Watch Commander in the absence of the Sergeant.
(b) Assist the Sergeant with shift training.
(c) Act as a Field Training Officer when assigned.
**Individual Responsibilities**

(d) Act as a role model for other officers by setting a good example as a beat officer.

(e) May assist the Sergeant with evaluations of officers upon his/her request.

(f) Assist in the supervision of major crime scenes or incidents upon the request of the Sergeant.

(g) Provide consultation to and with the Sergeant when requested.

(h) Otherwise work a regular beat or as a cover unit.

(i) Perform related duties as assigned.

102.7 **POLICE OFFICER**

**Definition** - As a Patrol Officer, to patrol the City in a radio-equipped car or on foot; answer calls for the protection of life and property, and the enforcement of city, county and state laws; may conduct both preliminary and follow-up investigations of disturbances, prowlers, burglaries, thefts, robberies, vehicle accidents, deaths, and other criminal incidents. Perform preventative patrol responsibilities.

102.7.1 **EXAMPLES OF DUTIES/PATROL OFFICER**

Duties may include, but are not limited to, the following:

(a) Answer calls for service.

(b) Provide protection to life and property; enforce laws and ordinances; maintain order and assist the public as needed.

(c) Interview victims and witnesses, interrogate suspects.

(d) Prepare detailed and comprehensive reports.

(e) Perform duties related to all areas of special assignment. Check buildings for physical security.

(f) Search, fingerprint and transport prisoners.

(g) Direct all traffic at fires, special events, and other emergency situations when necessary.

(h) Maintain contact with citizens regarding potential law enforcement problems and preserve good community relations with the general public.

(i) Assist in the performance of special investigative and crime prevention duties as required.

(j) Serve warrants and subpoenas; retrieve and request information involving arrests and subpoenas; receive and process bail payments; perform other work related to the processing of misdemeanor and felony complaints.

(k) Administer first aid as necessary.

(l) Act as a Field Training Officer when assigned.

(m) Perform other related duties as assigned.
102.7.2 POLICE INVESTIGATOR

**Definition** - Under general supervision, to review, investigate and analyze criminal actions and offenses; to assist at the scene of major crimes in order to obtain sufficient evidence for the prosecution of criminal complaints; and to do related work as required.

(a) **Examples of Duties** - Duties may include, but are not limited to, the following:

1. Coordinate and conduct complete and detailed investigations of crimes involving juveniles and adults, crimes against persons and property, and crimes involving vice, gaming and narcotics violations.
2. Participate in all normal enforcement activities including enforcing local and state laws, issuing citations, making arrests, administering first aid and transporting prisoners.
3. Perform undercover and surveillance activities.
4. Prepare investigative reports and case information for the District Attorney or other prosecuting agency.
5. Provide evidence and testimony in court.
6. Answer questions from the public concerning local and state laws, procedures and activities of the Department.
7. Interview victims, complainants, witnesses and suspects.
8. Collect, preserve and maintain evidence and property.
9. Prepare and serve warrants and subpoenas.
10. Develop and maintain good relationships with the public, including informants and contacts which may be helpful in criminal investigations.
11. Perform related duties as assigned.

102.7.3 SCHOOL RESOURCE OFFICER

**Definition** - The School Resource Officer serves as a liaison to the High School and two Junior High Schools in the City of Pleasant Hill, and to the Mt. Diablo School District, on matters related to our schools and the Police Department.

(a) **Examples of Duties** - Duties may include, but are not limited to, the following:

1. Serve as liaison to the High School and Junior High Schools in the City of Pleasant Hill on matters related to the mission of the Police Department.
2. Maintain a police presence on the school campus, in uniform, to deter drug use and dealing, gang activities, assaults, non-students on campus, and prevent students from becoming involved in criminal or delinquent conduct.
3. Work closely with school staff and administration to prepare safety and disaster preparedness plans.
4. Enhance relationships between law enforcement and the student body.
Individual Responsibilities

5. Serve as liaison to the School Attendance Review Board and assist with truancy and attendance problems through "home visits."

6. Provide educational assistance to the schools in the areas of driver education, government, DUI education, etc.

7. Provide the school administration and faculty with a police resource in dealing with criminal conduct.

8. Expose the students to the criminal justice system and provide them with the information necessary to make proper decisions on conduct as it relates to criminal or delinquent behavior.

9. Monitor School Resource Officer efforts in other communities and apply knowledge gained to the Pleasant Hill program.

10. Participate in conflict resolution programs in effect at the schools.

11. Attend and participate in selected school activities and assemblies.

12. Serve as liaison with the Department's Investigators as well as Patrol personnel.

13. Respond to emergency and/or in-progress crimes on the school campus, while assigned to that campus.

14. Assist in training Faculty, Administration and District staff on law enforcement related subjects (i.e., child abuse reporting, drug trend awareness, and other criminal matters).

15. Assist in the coordination of the Department's response to special events/activities conducted at the schools.

102.7.4 TRAFFIC OFFICER

Definition - The primary responsibility is to provide enforcement of traffic laws within the City limits and to prevent accidents. He/she may be required to work patrol as needed when personnel shortages occur.

(a) Examples of Duties - Duties may include, but are not limited to, the following:

1. As a Traffic Officer, to patrol the City on a motorcycle or in a patrol car; respond to calls related to traffic incidents and any other required emergencies; observe, monitor and control routine and unusual traffic conditions; assist and advise motorists; and enforce traffic safety laws.


3. Make arrests as necessary.

4. Interview victims, complainants and witnesses, interrogate suspects, gather and preserve evidence, testify and present evidence in court.

5. Investigate and follow up on traffic accident reports as assigned, including all fatal collisions. Traffic Officers are subject to call out for fatal collision
investigation, and participation in the Central County Major Accident Investigations Team (MAIT).

6. Contact and cooperate with other law enforcement agencies in matters relating to the apprehension of offenders and the investigation of offenses.

7. Conduct traffic and accident safety presentations.

8. Prepare reports of arrests made, activities performed and unusual incidents observed.

9. Recommend engineering changes affecting traffic safety.

10. Stop drivers who are operating vehicles in violation of laws, warn drivers against unlawful practices, issue citations and make arrests as necessary.

11. Perform related duties as assigned.

12. When assigned to Patrol duties, traffic officers will wear a patrol uniform. When assigned to traffic duties, traffic officers may wear all or part of the following issued equipment depending upon weather conditions and vehicle operated: motorcycle helmet, motorcycle breeches, motorcycle boots, motorcycle jacket, motorcycle gloves, and sunglasses.

102.7.5 COMMUNITY RESOURCE OFFICER

Definition - A sworn officer responsible for handling concerns or facilitating responses to community concerns.

(a) Examples of Duties:

1. Intervention in issues calling for specialized advice such as Crime Prevention Through Environmental Design.

2. Intervention in long term or chronic problems or issues impacting the community.

3. Work collaboratively with both patrol and investigations in addressing specific crime trends and concerns.

4. Liaison with agencies such as Contra Costa County Health, Human Services and Homelessness (CORE) to provide assistance to community members.

5. Address transient related crimes and quality of life issues.

6. Liaison with various community groups, provide public presentations, and participate in community forums.

7. Other duties as assigned.

102.7.6 POLICE TRAINEE

Definition - To attend a Peace Officer Standards and Training (POST) certified Police Recruit Academy and undergo field training within various Divisions of the Police Department. Upon graduation from the Academy, the recruit may be sworn in as a Police Officer with full police authority.

(a) Examples of Duties - Duties may include, but are not limited to, the following:
Individual Responsibilities

1. Attend a basic POST certified academy to learn techniques of first aid, physical fitness, field operations, firearms safety and use, laws of arrest, search and seizure, patrol observation, radio codes, Penal Code and Vehicle Code sections, overview of the court system, and searching and booking prisoners.

2. Undergo field training within the Department to learn the City boundaries, report procedures, techniques of accident investigation and traffic direction, learning the computer system, classification system, and Department rules and regulations.

3. Perform other related duties as assigned.

102.8 COMMUNITY SERVICE OFFICER

Definition - A professional staff member assigned to perform a variety of routine, non-hazardous law enforcement office and field duties.

102.8.1 COMMUNITY SERVICE OFFICER (PATROL)

The Patrol CSO's primary responsibility is to work under the direction of the Patrol Watch Commander and perform non-hazardous field assignments.

(a) Examples of Duties - Duties may include, but are not limited to, the following:

1. Take, prepare, process and file routine reports and correspondence such as vandalism, found property and traffic accident reports.

2. Participate in crime prevention functions to include presentations to the public, CPTED assessments, and working with business owners and residents to address chronic crime and quality of life issues.

3. Utilize law enforcement databases as appropriate.

4. Respond to citizen inquiries and requests for information and assistance at the counter and by telephone; receive non-investigative reports.

5. Prepare administrative reports as directed.

6. Perform vehicle mechanical citation sign-offs, issue parking citations and have abandoned vehicles towed away.

7. Perform vacation house checks

8. Perform traffic control.

9. Assist officers at crime scenes.

10. Enforce sign violations.

11. Perform fingerprinting for the public.

12. Perform other related duties as assigned.
102.8.2 COMMUNITY SERVICE OFFICER (PROPERTY & EVIDENCE)
The Property & Evidence CSO's primary assignment is to accept, log, classify, store, dispense, destroy, and release property/evidence to: its rightful owner, or for court presentation, or for destruction, or for auction.

(a) Examples of Duties - Duties may include, but are not limited to, the following:

1. Utilize law enforcement databases as appropriate.
2. Respond to citizen inquiries and requests for information and assistance at the counter and by telephone; receive non-investigative reports.
3. Prepare administrative reports as directed.
4. Distribute regular training bulletins to department personnel on property and evidence procedures.
5. Produce monthly reports related to inventories; items destroyed; purged; auctioned, and other reports showing the current status of the Property & Evidence Bureau.
6. Collect and preserve evidence and property; notify owners, dispose of property when court action has been concluded.
7. Cooperate with and participate in all audits of the Property & Evidence Bureau.
8. Periodically dispose of weapons and narcotics; prepare associated reports, ensure court orders are obtained for destruction of relevant items.
10. Perform other related duties as assigned.

102.9 SUPPORT SERVICES SUPERVISOR
Definition - Under the management of the Support Services Division Commander, will supervise the activities and operations of the Records, Property & Evidence or Communications Bureaus of the Police Department, and supervise and evaluate the performance of professional staff and volunteers assigned to these bureau.

102.9.1 RECORDS AND PROPERTY & EVIDENCE SUPERVISOR
(a) Examples of Duties - Duties may include, but are not limited to the following:

1. Maintain discipline and ensure that Department rules and policies are followed.
2. Monitors team member’s performance against standards and expectations.
4. Provide supervision and technical assistance to dispatch personnel.
5. Handle complaints from the public, and address personnel problems that may occur.
6. Work with other Department personnel and the public in the use of the police records system.
7. Work with local, state and federal agencies in matters relating to the processing, retention and retrieval of police records and information.
8. Inspect Department records for quality control.
9. Conduct regular audits in areas of responsibility to demonstrate compliance with policy and law.
10. Assist in reviewing Oversee the review of evidence and property for retention, destruction, or auction of items or destruction.
11. Prepare correspondence, memoranda and reports as requested.
12. Respond to public records requests and other inquiries for information related to police records.
13. Research, collect data, and prepare a variety of comprehensive statistical and written reports as required in the course of their duties.
14. Approve or authorize designee to approve, the release or inspection of police reports and property.
15. Implement department training and procedural reviews to ensure compliance with policy, law, and best practices.
16. Apply laws, court decisions, rules and regulations to the receiving, storage, and handling of evidence and property.
17. Apply laws, court decisions, rules and regulations on the use, confidentiality, and retention of police records.
18. Plan, organize and assign the work of assigned personnel in the performance of records management, records retention and distribution, and property and evidence functions.
19. Maintain compliance with mandated federal and state reporting requirements (RIPA, NIBRS, URSUS, etc.).
20. Maintain agency compliance with federal and state regulations related to the retention, storage, and distribution of police records.
21. Review police reports and documents processed by the Services Division for proper format, reporting procedure and general quality of work.
22. Perform related duties as assigned.

**102.9.2 DISPATCH SUPERVISOR**

(a) Examples of Duties - Duties may include, but are not limited to the following:

1. Oversee all function of the Communications Bureau, supervise personnel, and ensure compliance with federal and state standards for Public Safety Answering Points.
Individual Responsibilities

2. Maintain discipline and ensure that Department rules and policies are followed.
3. Participate in normal shift activities as necessary (answer phones, receive emergency calls from the public).
4. Request police or other emergency service; determine nature and location of emergency, determine priority, and dispatch police as necessary or transfer calls to appropriate agency in accordance with established procedures.
5. Monitor team member’s performance against standards and expectations.
7. Handle complaints from the public, and address personnel problems that may occur.
8. Develop bureau schedule and ensure proper staffing levels.
9. Develop and maintain procedural and operational manuals for daily operations in dispatch.
10. Observe and review procedures and reports for needed improvement.
11. Implement training and procedural reviews to ensure compliance with policy, law, and best practices.
12. Conduct in-service training to ensure all employees are adequately trained and compliant with CA POST guidelines.
13. Research, collect data, and prepare a variety of comprehensive statistical and written reports as required in the course of their duties.
14. Provide supervision and technical assistance to dispatch personnel
15. Compile data, sort, file, copy and distribute records to appropriate personnel and bureaus.
16. Prepare correspondence, memoranda and reports as requested.
17. Develop and exercises skill in computer-aided dispatch (CAD).
18. Assist with recruiting and testing of dispatch applicants as assigned.
19. Orient and oversee training of new dispatch employees.
20. Oversee Communication Training Officers and routinely assess content and implementation of training material.

102.10 DISPATCHER
Definition - Under the supervision of the Dispatch Supervisor answers emergency and non-emergency calls, dispatches police units, coordinates outside assistance, assists the public at the front counter, processes police reports, assists in the orientation and training of new dispatch employees.
Individual Responsibilities

102.10.1 POLICE DISPATCHER II

**Definition** - To receive incoming calls for police assistance and dispatch necessary units; to perform a variety of general support duties related to communications activities; and to perform related work as required.

(a) **Examples of Duties** - Duties may include, but are not limited to, the following:

1. Receive emergency calls from the public requesting police or other emergency service; determine the nature and location of the emergency; determine the priority and dispatch police, emergency units as necessary, or transfer calls to the appropriate agency in accordance with established procedures.

2. Maintain contact with all units on assignment; maintain the status and location of police field units.

3. Answer and coordinate emergency and non-emergency calls, and relay information and assistance requests involving other law enforcement and firefighting agencies.

4. Train new employees in Dispatch, including record keeping, computer and telecommunication operations.

5. Enter, update and retrieve information from the computer and telecommunications systems relating to wanted persons, stolen property, vehicle registration, stolen vehicles, and other information.

6. Perform a variety of record keeping, typing, filing, indexing, data entry and other general clerical work required to document dispatch activities and provide resources for field officers.

7. Monitor remote video cameras.

8. Receive complaints and requests for service at the front counter.

9. May perform searches of arrested persons of the same sex.

10. Perform related duties as assigned.

102.10.2 POLICE DISPATCHER I

**Definition** - To perform a wide variety of general clerical duties required to process Police Department records and reports; to receive incoming calls for police assistance and forward the information to the Dispatcher; to perform a variety of general support duties related to communications activities; and to do related work as required. To act as, or assist, the Police Dispatcher II when appropriate.

(a) **Examples of Duties** - Duties may include, but are not limited to, the following:

1. Type, record and file a wide variety of police records, reports and materials including memos, letters, financial reports, complaints, declarations, fingerprint cards and index cards on bookings, warrants, citations, crime and traffic reports, bad checks and forgery files.
Individual Responsibilities

2. Assist Department personnel and the public in person and by phone performing record checks, collecting fees, and mailing out requested reports to outside agencies in accordance with established regulations.

3. Assemble, code, record and summarize a variety of police record data including serious crime offenses, stolen vehicles, crime reports, booking sheets and field interrogation cards.

4. Compile data for, summarize and maintain a variety of statistical and financial reports.

5. Sort, file, copy and distribute to appropriate personnel, crime reports, traffic reports, citations, petitions and other materials.

6. Operate the computer and telecommunications systems to enter, modify and retrieve data such as stolen and recovered property, driver license and vehicle registration information, and warrants on wanted persons.

7. Perform other related duties as assigned.

102.10.3 EXECUTIVE ASSISTANT TO THE CHIEF OF POLICE

Definition - To perform a variety of highly responsible and complex clerical, secretarial and administrative duties for a Department, and appropriately handle sensitive and/or confidential information.

(a) Examples of Duties - Duties may include, but are not limited to, the following:

1. Perform a wide variety of complex and responsible duties for the Chief of Police or Command Staff personnel.

2. Screen calls, visitors and mail.

3. Respond to letters and general correspondence of a routine nature or per direction.

4. Make travel arrangements; maintain appointment schedules and calendars; arrange meetings and conferences.

5. Take and transcribe oral dictation from shorthand notes or transcribing machine recordings; operate office equipment.

6. Type a variety of materials, including general correspondence and memoranda.

7. Coordinate with the Finance Department the payment of accounts.

8. Research, compile and analyze data for special projects and various reports.

9. Initiate and maintain a variety of files and records.

10. May serve as Secretary to a Board or Commission, preparing the agenda, assembling background materials, taking and transcribing minutes of the meetings, and performing related support services.

11. Supervise, train and evaluate other professional staff as assigned.
Individual Responsibilities

12. Recommend organizational or procedural changes relevant to the business operations of the department.
13. Perform clerical, office, or other duties as assigned.

102.10.4 INVESTIGATIVE ADMINISTRATIVE ASSISTANT

**Definition** - To perform a variety of secretarial and administrative duties for Investigations Division personnel.

(a) Examples of Duties - Duties may include, but are not limited to, the following:

1. Perform a wide variety of duties for the Division Commander or other sworn personnel.
2. Screen calls, visitors and mail.
3. Preparation of reports, including "filing packets" so criminal complaints can be filed.
4. Preparation of correspondence per direction.
5. Operate office equipment.
6. Type a variety of materials, including general correspondence and memoranda.
7. Initiate and maintain a variety of files and records.
8. Work closely with the Volunteer Coordinator
9. Perform related duties as assigned.

102.10.5 ADMINISTRATIVE ASSISTANT

Part time, non-sworn person responsible for clerical duties.

(a) Examples of duties:

1. Preparation of time sheets.
2. Payment of invoices.
3. Other duties as assigned by the Administration Secretary or Command Staff.

102.11 POLICE RESERVES

**Definition** - A volunteer police officer who, while on duty, has police officer powers and usually is accompanied by a full-time sworn officer. Reserves are expected to contribute a minimum number of hours each month supporting the Patrol Division and perform other functions within the Department as needed. Reserves complete a mandatory training program and are at least 21 years of age before acting in this capacity. Reserves serve the Department at the direction of the Chief of Police.

(a) Examples of Duties:

1. Ride with Patrol Officers, provide traffic direction, assist with parades and other civic functions, assist in cases of emergencies, assist with arrests and booking,
Individual Responsibilities

prisoner transportation, work specialized details, and other work as directed. See Policy Manual § 350.

102.11.1 POLICE VOLUNTEER

Definition - A volunteer worker for the Police Department. Police Volunteers have no police authority and serve at the direction of the Chief of Police.

(a) Examples of Duties:

1. Non-hazardous duties, including clerical work.
2. Administrative runs to city hall, court, crime lab, or other locations as directed.
3. Perform routine, non-enforcement, neighborhood and business patrols.
4. Coordinate and work with Neighborhood Watch groups.
5. Participate in public events or gatherings such as National Night Out, July 4th Parade, etc.
6. Assist in non-criminal or administrative investigations while under the supervision of sworn law enforcement personnel.
8. Assist in non-hazardous roles during natural or man-made disasters.
9. Perform other duties as assigned.

102.11.2 POLICE CHAPLAIN

See Policy Manual § 351.
Oath of Office

103.1 PURPOSE AND SCOPE
The purpose of this policy is to ensure that oaths, when appropriate, are administered to department members.

103.2 POLICY
It is the policy of the Pleasant Hill Police Department that, when appropriate, department members affirm the oath of their office as an expression of commitment to the constitutional rights of those served by the department and the dedication of its members to their duties.

103.3 OATH OF OFFICE
All department members, when appropriate, shall take and subscribe to the oaths or affirmations applicable to their positions. All sworn members shall be required to affirm the oath of office expressing commitment and intent to respect constitutional rights in discharging the duties of a law enforcement officer (Cal. Const. Art. 20, § 3; Government Code § 3102). The oath shall be as follows:

“I, (employee name), do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter during such time as I hold the office of [    ], and that I will endeavor to follow the law enforcement Code of Ethics throughout my career in law enforcement..”
Policy Manual

104.1 PURPOSE AND SCOPE
The manual of the Pleasant Hill Police Department is hereby established and shall be referred to as the Policy Manual or the manual. The manual is a statement of the current policies, rules and guidelines of this department. All members are to conform to the provisions of this manual.

All prior and existing manuals, orders and regulations that are in conflict with this manual are rescinded, except to the extent that portions of existing manuals, procedures, orders and other regulations that have not been included herein shall remain in effect, provided that they do not conflict with the provisions of this manual.

104.2 POLICY
Except where otherwise expressly stated, the provisions of this manual shall be considered as guidelines. It is recognized that the work of law enforcement is not always predictable and circumstances may arise which warrant departure from these guidelines. It is the intent of this manual to be viewed from an objective standard, taking into consideration the sound discretion entrusted to members of this department under the circumstances reasonably available at the time of any incident.

104.2.1 DISCLAIMER
The provisions contained in the Policy Manual are not intended to create an employment contract nor any employment rights or entitlements. The policies contained within this manual are for the internal use of the Pleasant Hill Police Department and shall not be construed to create a higher standard or duty of care for civil or criminal liability against the City, its officials or members. Violations of any provision of any policy contained within this manual shall only form the basis for department administrative action, training or discipline. The Pleasant Hill Police Department reserves the right to revise any policy content, in whole or in part.

104.2.2 STAFF
Staff shall consist of the following:

- Chief of Police
- The Captain
- The Lieutenant from each division

The staff shall review all recommendations regarding proposed changes to the manual at staff meetings.
104.2.3 OTHER PERSONNEL
All Department employees suggesting revision of the contents of the Policy Manual shall forward their suggestion, preferably in writing, to their Division Commander who will consider the recommendation and forward to staff.

104.3 AUTHORITY
The Chief of Police shall be considered the ultimate authority for the content and adoption of the provisions of this manual and shall ensure compliance with all applicable federal, state and local laws. The Chief of Police or the authorized designee is authorized to issue Department Orders, which shall modify those provisions of the manual to which they pertain. Department Orders shall remain in effect until such time as they may be permanently incorporated into the manual.

104.4 ISSUING THE POLICY MANUAL
An electronic version of the Policy Manual will be made available to all members on the department network for viewing and printing. No changes shall be made to the manual without authorization from the Chief of Police or the authorized designee.

Each member shall acknowledge that he/she has been provided access to, and has had the opportunity to review the Policy Manual and Department Orders. Members shall seek clarification as needed from an appropriate supervisor for any provisions that they do not fully understand.

104.5 DEFINITIONS
The following words and terms shall have these assigned meanings throughout the Policy Manual, unless it is apparent from the content that they have a different meaning:

Adult - Any person 18 years of age or older.

CCR - California Code of Regulations (Example: 15 CCR 1151).

CHP - The California Highway Patrol.


City - The City of Pleasant Hill Police.

Professional Staff - Employees and volunteers who are not sworn peace officers.

Department/PHPD - The Pleasant Hill Police Department.

DMV - The Department of Motor Vehicles.

Employee - Any person employed by the Department.

Juvenile - Any person under the age of 18 years.


May - Indicates a permissive, discretionary or conditional action.

Member - Any person employed or appointed by the Pleasant Hill Police Department, including:
Policy Manual

- Full- and part-time employees
- Sworn peace officers
- Reserve, auxiliary officers
- Professional Staff employees
- Volunteers.

Officer - Those employees, regardless of rank, who are sworn peace officers of the Pleasant Hill Police Department.

On-duty - A member’s status during the period when he/she is actually engaged in the performance of his/her assigned duties.

Order - A written or verbal instruction issued by a superior.

POST - The California Commission on Peace Officer Standards and Training.

Rank - The title of the classification held by an officer.

Shall or will - Indicates a mandatory action.

Should - Indicates a generally required or expected action, absent a rational basis for failing to conform.

Supervisor - A person in a position of authority that may include responsibility for hiring, transfer, suspension, promotion, discharge, assignment, reward or discipline of other department members, directing the work of other members or having the authority to adjust grievances. The supervisory exercise of authority may not be merely routine or clerical in nature but requires the use of independent judgment.

The term "supervisor" may also include any person (e.g., officer-in-charge, lead or senior worker) given responsibility for the direction of the work of others without regard to a formal job title, rank or compensation.

USC - United States Code.

104.6 PERIODIC REVIEW OF THE POLICY MANUAL
The Chief of Police will ensure that the Policy Manual is periodically reviewed and updated as necessary.

104.7 REVISIONS TO POLICIES
All revisions to the Policy Manual will be provided to each member on or before the date the policy becomes effective. Each member will be required to acknowledge that he/she has reviewed the revisions and shall seek clarification from an appropriate supervisor as needed.

Members are responsible for keeping abreast of all Policy Manual revisions.
Each Division Commander will ensure that members under his/her command are aware of any Policy Manual revision.

All department members suggesting revision of the contents of the Policy Manual shall forward their written suggestions to their Division Commanders, who will consider the recommendations and forward them to the command staff as appropriate.
Chapter 2 - Organization and Administration
Organizational Structure and Responsibility

200.1 PURPOSE AND SCOPE
The organizational structure of this department is designed to create an efficient means to accomplish our mission and goals and to provide for the best possible service to the public.

200.2 DIVISIONS
The Chief of Police is responsible for administering and managing the Pleasant Hill Police Department. There are three divisions in the Police Department as follows:

- Operations
- Support Services
- Professional Standards and Training

The Operations and Support Services Divisions are commanded by Lieutenants, while the Professional Standards and Training Division is commanded by a Sergeant. All three divisions report to the Captain. The Captain provides general management direction and control for each division. The Captain is also responsible for Administration, Personnel, Internal Affairs, and recruitment.

200.2.1 OPERATIONS
The Operations Division is commanded by a Lieutenant whose primary responsibility is to provide general management direction and control for the Division.

The Division includes Patrol, Traffic, the Canine Program, temporary holding facility management, Community Resource Officer and Reserves.

200.2.2 SUPPORT SERVICES
The Support Services Division is commanded by a Lieutenant whose primary responsibility is to provide general management direction and control for the Division.

The Division includes investigations, communications, property and evidence, records, statistics, , police volunteers, the school resource officer, technology and facility or building maintenance,

200.2.3 PROFESSIONAL STANDARDS
The Professional Standards Division is commanded by a Sergeant whose primary responsibility is to provide general management direction and control for the Division.

The Professional Standards Division includes training, the Field Training (FTO) Program, on-going professional training, Armorers, Firearms Instructors, Force Option Instructors, First Aid/CPR Instructors, and Respirator Program personnel. The division also includes policy review, updates and development, administrative investigations, recruitment and hiring.

200.3 COMMAND PROTOCOL
Organizational Structure and Responsibility

200.3.1 SUCCESSION OF COMMAND

The Chief of Police exercises command over all personnel in the Department. During planned absences the Chief of Police will designate the Captain to serve as the acting Chief of Police.

Except when designated as above, the order of command authority in the absence or unavailability of the Chief of Police is as follows:

(a) Division Commander  
(b) Watch Commander

200.3.2 UNITY OF COMMAND

The principles of unity of command ensure efficient supervision and control within the Department. Generally, each employee shall be accountable to one supervisor at any time for a given assignment or responsibility. Except where specifically delegated authority may exist by policy or special assignment (e.g., K-9, SWAT), any supervisor may temporarily direct any subordinate if an operational necessity exists.

200.3.3 ORDERS

Members shall respond to and make a good faith and reasonable effort to comply with the lawful order of superior officers and other proper authority.
201.1 PURPOSE AND SCOPE
Departmental Orders establish an interdepartmental communication that may be used by the Chief of Police to make immediate changes to policy, procedure, or processes consistent with the current Memorandum of Understanding and as permitted by Government Code § 3500 et seq. Department Orders may also be utilized to communicate a wide variety of Department functions. Departmental Orders will immediately modify or change and supersede sections of this manual to which they pertain.

201.1.1 DEPARTMENTAL DIRECTIVE PROTOCOL
Departmental Orders will be incorporated into the manual as required upon approval of Staff. Department Orders will modify existing policies or create a new policy as appropriate and will be codified into the manual when appropriate.

Department Orders will be numbered consecutively starting with the last two digits of the year, followed by the number "01". For example, 20-01 signifies the first Department Order for the year 2020.

201.2 RESPONSIBILITIES

201.2.1 STAFF
The staff shall review and approve revisions to the Policy Manual, which will incorporate changes originally made by a Department Order.

201.2.2 CHIEF OF POLICE
The Chief of Police shall issue all Department Orders.

201.3 ACCEPTANCE OF DEPARTMENTAL DIRECTIVES
All employees are required to read and obtain any necessary clarification of all Department Orders. All employees may be required to acknowledge in writing the receipt and review of any new Department Order. Signed acknowledgement forms and/or e-mail receipts showing an employee's acknowledgement will be maintained by the Professional Standards Sergeant.
Emergency Management Plan

202.1 PURPOSE AND SCOPE
The City has prepared an Comprehensive Emergency Management Plan for use by all employees in the event of a major disaster or other emergency event. The plan provides for a strategic response by all employees and assigns specific responsibilities in the event that the plan is activated (Government Code § 8610).

202.2 ACTIVATING THE EMERGENCY PLAN
The Emergency Management Plan can be activated on the order of the official designated by local ordinance.

202.2.1 RECALL OF PERSONNEL
In the event that the Emergency Operations Center is activated, all employees of the Pleasant Hill Police Department are subject to immediate recall. Employees may also be subject to recall during extraordinary circumstances as deemed necessary by the Chief of Police or the authorized designee.

Failure to promptly respond to an order to report for duty may result in discipline.
Electronic Mail

203.1 PURPOSE AND SCOPE
The purpose of this policy is to establish guidelines for the proper use and application of electronic mail (email) by employees of this department. Email is a communication tool available to employees to enhance efficiency in the performance of job duties and is to be used in accordance with generally accepted business practices and current law (e.g., California Public Records Act). Messages transmitted over the e-mail system must only be those that involve official business activities or contain information essential to employees for the accomplishment of business-related tasks and/or communication directly related to the business, administration, or practices of the Department.

Please also see the City of Pleasant Hill Personnel Rules and Regulations Rule 24. This City Policy is incorporated into the Department Policy.

203.2 EMAIL RIGHT OF PRIVACY
All email messages, including any attachments, that are transmitted over department networks are considered department records and therefore are department property. The Department reserves the right to access, audit or disclose, for any lawful reason, any message including any attachment that is transmitted over its email system or that is stored on any department system.

The email system is not a confidential system since all communications transmitted on, to or from the system are the property of the Department. Therefore, the email system is not appropriate for confidential communications. If a communication must be private, an alternative method to communicate the message should be used instead of email. Employees using the Department’s email system shall have no expectation of privacy concerning communications utilizing the system.

Employees should not use personal accounts to exchange email or other information that is related to the official business of the Department.

203.3 PROHIBITED USE OF E-MAIL
Sending derogatory, defamatory, obscene, disrespectful, sexually suggestive, and harassing or any other inappropriate messages on the email system is prohibited and may result in discipline.

Email messages addressed to the entire department are only to be used for official business related items that are of particular interest to all users. Personal advertisements are not acceptable.

It is a violation of this policy to transmit a message under another user’s name. Users with assigned work stations are strongly encouraged to log off the network when their computer is unattended. Users who share workstations will log off the network when their work at that station is complete. This added security measure minimizes the potential misuse of an individual’s email, name and/or password by others.
203.4 MANAGEMENT OF EMAIL
Because the email system is not designed for long-term retention of messages, email that the employee desires to save or that becomes part of an official record should be printed and/or stored in another database. Users of e-mail are solely responsible for the management of their mailboxes. All messages will be deleted at regular intervals from the server computer.

Email may, depending upon the individual content, be a public record under the California Public Records Act and must be managed in accordance with the established records retention schedule and in compliance with state law.

The Custodian of Records shall ensure that email messages are retained and recoverable as outlined in the Records Maintenance and Release Policy.

203.5 EMPLOYEE ACCESS
Employees will check their Department email account at least once per regularly assigned work shift.
Administrative Communications

204.1 PURPOSE AND SCOPE
Administrative communications of this department are governed by the following policies.

204.2 DEPARTMENT ORDER
Department Order may be issued periodically by the Chief of Police to announce and document all promotions, transfers, hiring of new personnel, separations, personnel and group commendations, or other changes in status.

204.3 CORRESPONDENCE
In order to ensure that the letterhead and name of the Department are not misused, all external correspondence shall be on Department letterhead. All Department letterhead shall bear the signature element of the Chief of Police. Personnel should use Department letterhead only for official business and with approval of their supervisor.

204.4 SURVEYS
All surveys made in the name of the Department shall be authorized by the Chief of Police or a Division Commander.
Staffing Levels

205.1 PURPOSE AND SCOPE
The purpose of this policy is to ensure that proper supervision is available for all shifts. The Department intends to balance the employee's needs against the need to have flexibility and discretion in using personnel to meet operational needs. While balance is desirable, the paramount concern is the need to meet operational requirements of the Department.

205.2.1 SUPERVISORY DEPLOYMENT
In order to accommodate unforeseen or emergency circumstances, an officer may be used as supervisor. This will require the authorization from the Operations Division Commander or On Call Commander. Uses of officers as Watch Commanders (sections 216.21 and 216.22) will be for a limited time only.

205.3 DIVISION SENIORITY-SUPPORT SERVICES
Seniority is based upon employee classification, time in classification and/or employee ID number. In the Support Services Division the following seniority exists:

(a) Support Services Supervisor
(b) Dispatcher II
(c) Dispatcher I
(d) CSO
Staffing Levels

205.3.1 INVESTIGATIONS
Minimum staffing level for all personnel assigned to the Investigations Division will be at the discretion of the Division Commander based upon the needs of Department, Division and its personnel.

205.3.2 DIVISION SENIORITY
Seniority is based on employee rank and/or ID number. In the Patrol and Investigations Division, the following seniority exists:

(a) Police Sergeant
(b) Police Corporal
(c) Police Officer
205.4.1 PROCEDURE
The following is the procedure to be followed for shift sign ups:

(a) Patrol Division officers are assigned a ten minute period time period to select a shift. There will be a morning and afternoon sign up(s). This selection is based upon seniority. Sign up times will be provided.

(b) The shift sign up sheet will be in possession of the Training Manager, and employees can either call 288-4644 or contact the Training Manager to make your shift selection during the allotted times.

(c) If an employee is unavailable during his or her allotted times to sign up, he or she may provide the Training Manager with a memorandum prior to the sign up detailing your top his or her top three choices in descending order of preference. It is the employee's responsibility to confirm he Training Manager, has received this memorandum.

(d) If an employee misses their allotted times he or she must select shifts based upon spaces available at the time they contact he Training Manager. Shift sign ups will not be adjusted to accommodate the officer who misses their allotted times.

205.4.2 TIME OFF REQUESTS

(a) Time off will be granted in accordance with law and City policy as well as in consideration to employee requests, and organizational and community needs. Minimum staffing requirements, emergency or special situations, and community events will be determining factors in granting time off.
Staffing Levels

(b) Time off requests will be granted by seniority (see §216.3, 216.31, and 216.32 for an explanation on seniority) and the provisions outlined below:

(c) Division Commanders, the Support Services Supervisor, and Watch Commanders may assign overtime to meet the needs of the Department and to comply with minimum staffing requirements created by time off requests, training, medical or injury leave, other types of leave, and time off requests.

(d) Time off will not be granted for vacations totaling less than one full work week if it requires the assignment of overtime. A full work week is defined as the employee's regularly scheduled consecutive work days without breaks for regularly scheduled days off. For example, the full work week for Teams 1 and 3 is Mon-Thur and Tue-Thur in alternating weeks and the full work week for Teams 2 and 4 is Fri-Mon and Fri-Sun in alternating weeks.

(e) Compensatory time off requests (CTO) will be granted in accordance with the current Fair Labor Standards Act provisions, case law, and Memorandum of Understanding (MOU) or agreement between the Police Association and the City or Police Department Administration. By current MOU agreement, accumulated holiday time off (AHTO) will be handled in the same manner as CTO. Holiday time off (HTO) is not considered CTO under the Fair Labor Standards Act and time off for HTO will be governed by the provisions used to grant vacation time off.

(f) As of the date of this edition of the Manual, the current MOU specifies CTO and AHTO requests requiring the assignment of overtime to maintain minimum staffing levels will be limited to one person per shift. All requests requiring overtime to maintain minimum staffing levels will be submitted twenty one (21) calendar days in advance of the requested date. Overtime will not be approved for CTO and AHTO requests for less than the employee's full work shift; in other words, overtime will not be approved for a CTO or AHTO request of less than 12 hours (or 8 hours on the employee's regularly scheduled "short" day).

(g) Requests for CTO and AHTO will be approved on a first -come first-served basis. Requests submitted on the same date for the same day off will be approved based upon rank and seniority.

(h) Simultaneous vacations will not be approved if it requires more than the assignment of one shift (12 hours) of overtime during the employee's entire work week. See section (d) above for the definition of the work week. The unavailability of personnel due to attendance at a training class will count toward the determination of whether or not time off will be granted due to the assignment of overtime.

(i) Simultaneous vacation/compensatory time off requests by both the Sergeant and a Corporal assigned to the same shift will not be approved.
Simultaneous vacation/compensatory time off requests by both the Dispatcher II and Dispatcher I assigned to the same shift will not be approved.

Employees, including Sergeants and Corporals, may trade shifts but in no case will a trade be approved in which a Sergeant is assigned to work as a beat officer. All one day shift trades must be approved by a supervisor and the Division Commander.

Employees may submit vacation time off requests two weeks prior to the beginning of a new shift period and during the first week of the new shift period. These requests will generally not be approved until the end of the first week of the shift period and will be granted based upon seniority and other provisions outlined above. Notwithstanding seniority, priority will be given to vacation requests totaling one full work week over vacation requests of less than one work week during the first week of the new shift. For example, if a senior officer submitted a vacation request for two days off during the first week but a junior officer submitted a request for the entire first week (3 or 4 days), the junior officer’s time off request would be approved and the senior officer’s vacation request would be denied per section (d) above. Time off requests overlapping the new shift period will be approved on a case by case basis.

Vacation time off requests for time off after the first week of the shift period will be granted on a first come, first served basis, regardless of seniority.

Personnel working in specialized assignments will be off on holidays unless the employee’s Division Commander approves a request to work on the holiday. Personnel who have requested to work on the holiday must submit a time slip to accrue holiday time or holiday pay; also see the MOU.

Traffic Officers will not work on the Thanksgiving, Christmas Eve, and Christmas holidays.

The School Resource officer will not work holidays when school is not in session except July 4th, see (q) below.

Personnel assigned to specialized assignments will work on the July 4th holiday unless excused by their Division Commander; also see the MOU for provisions on holidays.
License to Carry a Firearm

206.1 PURPOSE AND SCOPE
The Chief of Police is given the statutory discretion to issue a license to carry a firearm to residents within the community (Penal Code § 26150; Penal Code § 26155). This policy will provide a written process for the application and issuance of such licenses. Pursuant to Penal Code § 26160, this policy shall be made accessible to the public.

206.1.1 APPLICATION OF POLICY
Nothing in this policy shall preclude the Chief of police from entering into an agreement with the Sheriff to process all applications and license renewals for the carrying of concealed weapons (Penal Code § 26150; Penal Code § 26155).

206.2 POLICY
The Pleasant Hill Police Department will fairly and impartially consider all applications to carry firearms in accordance with applicable law and this policy.

206.3 QUALIFIED APPLICANTS
In order to qualify for a license to carry a firearm, the applicant must meet certain requirements, including:

(a) Be a resident of the City of (Penal Code § 26150; Penal Code § 26155).
(b) Be at least 21 years of age (Penal Code § 29610).
(c) Fully complete an application that will include substantial personal information. Much of the information in the application may be subject to public access under the Public Records Act.
(d) Be free from criminal convictions that would disqualify the applicant from carrying a firearm. Fingerprints will be required and a complete criminal background check will be conducted.
(e) Be of good moral character (Penal Code § 26150; Penal Code § 26155).
(f) Show good cause for the issuance of the license (Penal Code § 26150; Penal Code § 26155).
(g) Pay all associated application fees. These fees are set by statute and may not be refunded if the application is denied.
(h) Provide proof of ownership or registration of any firearm to be licensed.
(i) Be free from any psychological conditions that might make the applicant unsuitable for carrying a firearm (Penal Code § 26190).
(j) Complete required training (Penal Code § 26165).
206.4 APPLICATION PROCESS
The application process for a license to carry a firearm shall consist of two phases. Upon the successful completion of each phase, the applicant will advance to the next phase until the process is completed and the license is either issued or denied.

206.4.1 PHASE ONE (TO BE COMPLETED BY ALL APPLICANTS)
(a) Any individual applying for a license to carry a firearm shall first fully complete a California Department of Justice (DOJ) application to be signed under penalty of perjury. Any applicant who provides false information or statements on the application will be removed from further consideration and may be prosecuted for a criminal offense (Penal Code § 26180).

1. In the event of any discrepancies in the application or background investigation, the applicant may be required to undergo a polygraph examination, at no cost to the applicant.

2. If an incomplete application package is received, the Chief of Police or authorized designee may do any of the following:

   (a) Require the applicant to complete the package before any further processing.

   (b) Advance the incomplete package to phase two for conditional processing pending completion of all mandatory conditions.

   (c) Issue a denial if the materials submitted at the time demonstrate that the applicant would not qualify for a license to carry a firearm even if the package was completed (e.g., not a resident, disqualifying criminal conviction, absence of good cause).

(b) At the time the completed application is submitted, the applicant shall submit a check made payable to the California Department of Justice for the required California DOJ application fee, along with a separate check made payable to the City of Pleasant Hill Police for a nonrefundable 20 percent of the application fee to cover the cost of processing the application (Penal Code § 26190).

   (a) Additional fees may be required for fingerprinting, training or psychological testing, in addition to the application fee.

   (b) Full payment of the remainder of the application fee will be required upon issuance of a license.

   (c) Payment of related fees may be waived if the applicant is a duly appointed reserve peace officer as defined in Penal Code § 830.6 (a) or (b) (Penal Code § 26170).
License to Carry a Firearm

(c) The applicant shall be required to submit to live-scan fingerprinting and a complete criminal background check by the California DOJ. A second set of fingerprints may be required for retention in department files. Two recent passport-size photos (2 inches by 2 inches) of the applicant shall be submitted for department use. No person determined to fall within a prohibited class described in Penal Code § 29800, Penal Code § 29900, Welfare and Institutions Code § 8100 or Welfare and Institutions Code § 8103 will be issued a license to carry a firearm. Fingerprinting fees will be collected in addition to application fees. A license shall not be issued if the California DOJ determines that the applicant is prohibited by state or federal law from possessing, receiving, owning or purchasing a firearm (Penal Code § 26195).

(d) The applicant should submit at least three signed letters of character reference from individuals other than relatives.

(e) The applicant shall submit proof of ownership or registration of each firearm to be licensed.

Once the Chief of Police or authorized designee has reviewed the completed application package and relevant background information, the application will either be advanced to phase two or denied.

In the event that an application is denied at the conclusion of, or during, phase one, the applicant shall be notified in writing within 90 days of the initial application or within 30 days after receipt of the applicant’s criminal background check from the California DOJ, whichever is later. If the license is denied, the notice shall state which requirement was not satisfied (Penal Code § 26205).

206.4.2 PHASE TWO
This phase is to be completed only by those applicants successfully completing phase one.

(a) Upon successful completion of phase one, the applicant shall be scheduled for a personal interview with the Chief of Police or authorized designee. During this stage, there will be further discussion of the applicant’s statement of good cause and any potential restrictions or conditions that might be placed on the license.

1. The determination of good cause should consider the totality of circumstances in each individual case.

2. Any denial for lack of good cause should be rational, articulable and not arbitrary in nature.

3. The Department will provide written notice to the applicant as to the determination of good cause (Penal Code § 26202).
(b) The Chief of Police may, based upon criteria established by the Chief of Police, require that the applicant be referred to an authorized psychologist used by the Department for psychological testing. The cost of such psychological testing (not to exceed $150) shall be paid by the applicant. The purpose of any such psychological testing is intended only to identify any outward indications or history of psychological problems that might render the applicant unfit to carry a firearm. This testing is not intended to certify in any other respect that the applicant is psychologically fit. If it is determined that the applicant is not a suitable candidate for carrying a firearm, the applicant shall be removed from further consideration (Penal Code § 26190).

(c) The applicant shall complete a course of training approved by the agency, which complies with Penal Code § 26165. The applicant will not be required to complete and pay for any training courses prior to any determination of good cause (Penal Code § 26165; Penal Code § 26202).

(d) The applicant shall submit any firearm to be considered for a license to the Armorer or other departmentally authorized gunsmith, at no cost to the applicant, for a full safety inspection. The Chief of Police reserves the right to deny a license for any firearm that has been altered from the manufacturer’s specifications or that is unsafe (Penal Code § 31910).

(e) The applicant shall successfully complete a firearms safety and proficiency examination with the firearm to be licensed, to be administered by the department Armorer, or provide proof of successful completion of another departmentally approved firearms safety and proficiency examination, including completion of all releases and other forms. The cost of any outside inspection/examination shall be the responsibility of the applicant.

Once the Chief of Police or authorized designee has verified the successful completion of phase two, the license to carry a firearm will either be granted or denied.

Whether an application is approved or denied at the conclusion of or during phase two, the applicant shall be notified in writing within 90 days of the initial application or within 30 days after receipt of the applicant’s criminal background check from the California DOJ, whichever is later. If the license is denied, the notice shall state which requirement was not satisfied (Penal Code § 26205).

**206.5 LIMITED BUSINESS LICENSE TO CARRY A CONCEALED FIREARM**

The authority to issue a limited business license to carry a concealed firearm to a non-resident applicant is granted only to the Sheriff of the county in which the applicant works. A chief of a municipal police department may not issue limited licenses (Penal Code § 26150). Therefore, such applicants may be referred to the Sheriff for processing.
License to Carry a Firearm

An individual who is not a resident of the county but who otherwise successfully completes all portions of phases one and two above, may apply for and be issued a limited license subject to approval by the Sheriff and subject to the following:

(a) The applicant physically spends a substantial period of working hours in the applicant’s principal place of employment or business within the City of Pleasant Hill Police (Penal Code § 26150).

(b) Such a license will be valid for a period not to exceed 90 days from the date of issuance (Penal Code § 26220).

(c) The applicant shall provide a copy of the license to the licensing authority of the city or county in which the applicant resides (Penal Code § 26220).

(d) Any application for renewal or reissuance of such a license may be granted only upon concurrence of the original issuing authority and the licensing authority of the city or county in which the applicant resides (Penal Code § 26220).

206.6 ISSUED FIREARMS PERMITS

In the event a license to carry a firearm is issued by the Chief of Police, the following shall apply:

(a) The license will not be valid outside the state of California.

(b) The license will be subject to any and all reasonable restrictions or conditions the Chief of Police has deemed warranted, including restrictions as to the time, place, manner and circumstances under which the person may carry the firearm.

1. All such restrictions or conditions shall be conspicuously noted on any license issued (Penal Code § 26200).

2. The licensee will be required to sign a Restrictions and Conditions Agreement. Any violation of any of the restrictions and conditions may result in the immediate revocation of the license.

(c) The license shall be laminated, bearing a photograph of the licensee with the expiration date, type of firearm, restrictions and other pertinent information clearly visible.

1. Each license shall be numbered and clearly identify the licensee.

2. All licenses shall be subjected to inspection by the Chief of Police or any law enforcement officer.

(d) The license will be valid for a period not to exceed two years from the date of issuance (Penal Code § 26220).

1. A license issued to a state or federal magistrate, commissioner or judge will be valid for a period not to exceed three years.
2. A license issued to any reserve peace officer as defined in Penal Code § 830.6(a) or (b), or a custodial officer employed by the Sheriff as provided in Penal Code § 831.5 will be valid for a period not to exceed four years, except that such license shall be invalid upon the individual's conclusion of service as a reserve officer.

(e) If the licensee's place of residence was the basis for issuance of a license and the licensee moves out of the county of issuance, the license shall expire 90 days after the licensee has moved (Penal Code § 26210).

(f) The licensee shall notify this department in writing within 10 days of any change of place of residency.

206.6.1 LICENSE RESTRICTIONS

(a) The Chief of Police may place special restrictions limiting time, place, manner and circumstances under which any license shall be valid. In general, these restrictions will prohibit the licensee from:

1. Consuming any alcoholic beverage while armed.
2. Falsely representing him/herself as a peace officer.
3. Unjustified or unreasonable displaying of a firearm.
5. Being under the influence of any medication or drug while armed.
6. Interfering with any law enforcement officer's duties.
7. Refusing to display his/her license or firearm for inspection upon demand of any peace officer.
8. Loading the permitted firearm with illegal ammunition.

(b) The Chief of Police reserves the right to inspect any license or licensed firearm at any time.

(c) The alteration of any previously approved firearm including, but not limited to adjusting the trigger pull, adding laser sights or modifications shall void any license and serve as grounds for revocation.

206.6.2 AMENDMENTS TO LICENSES

Any licensee may apply to amend a license at any time during the period of validity by completing and submitting a written Application for License Amendment along with the current processing fee to the Department in order to (Penal Code § 26215):

(a) Add or delete authority to carry a firearm listed on the license.

(b) Change restrictions or conditions previously placed on the license.
License to Carry a Firearm

(c) Change the address or other personal information of the licensee (Penal Code § 26210).

In the event that any amendment to a valid license is approved by the Chief of Police, a new license will be issued reflecting the amendment. An amendment to any license will not serve to extend the original expiration date and an application for an amendment will not constitute an application for renewal of the license.

206.6.3 REVOCATION OF LICENSES
Any license issued pursuant to this policy may be immediately revoked by the Chief of Police for any of the following reasons:

(a) The licensee has violated any of the restrictions or conditions placed upon the license.
(b) The licensee becomes psychologically unsuitable to carry a firearm.
(c) The licensee is determined to be within a prohibited class described in Penal Code § 29800, Penal Code § 29900, Welfare and Institutions Code § 8100, Welfare and Institutions Code § 8103 or any state or federal law.
(d) The licensee engages in any conduct which involves a lack of good moral character or that might otherwise remove the good cause for the original issuance of the license.
(e) If the license is one to carry “loaded and exposed,” the license shall be revoked immediately upon a change of the licensee’s place of residence to another county (Penal Code § 26210).

The issuance of a license by the Chief of Police shall not entitle the holder to either a property or liberty interest as the issuance, amendment or revocation of such license remains exclusively within the discretion of the Chief of Police as set forth herein.

If any license is revoked, the Department will immediately notify the licensee in writing and the California DOJ (Penal Code § 26225).

206.6.4 LICENSE RENEWAL
No later than 90 days prior to the expiration of any valid license to carry a firearm, the licensee may apply to the Chief of Police for a renewal by:

(a) Verifying all information submitted in the original application under penalty of perjury.
(b) Completing a department-approved training course pursuant to Penal Code § 26165. The applicant shall not be required to pay for a training course prior to the determination of good cause (Penal Code § 26165).
(c) Submitting any firearm to be considered for a license renewal to the Armorer for a full safety inspection. The Chief of Police reserves the right to deny a license for any firearm that has been altered from the manufacturer’s specifications or that is unsafe (Penal Code § 31910).
License to Carry a Firearm

(d) Paying a non-refundable renewal application fee.

Once the Chief of Police or authorized designee has verified the successful completion of the renewal process, the renewal of the license to carry a firearm will either be granted or denied. Prior issuance of a license shall not entitle any licensee to any property or liberty right to renewal. Whether an application for renewal is approved or denied, the applicant shall be notified in writing within 90 days of the renewal application or within 30 days after receipt of the applicant’s criminal background check from the California DOJ, whichever is later (Penal Code § 26205).

206.7 DEPARTMENT REPORTING AND RECORDS
Pursuant to Penal Code § 26225, the Chief of Police shall maintain a record of the following and immediately provide copies of each to the California DOJ:

(a) The denial of a license
(b) The denial of an amendment to a license
(c) The issuance of a license
(d) The amendment of a license
(e) The revocation of a license

The Chief of Police shall annually submit to the State Attorney General the total number of licenses to carry firearms issued to reserve peace officers and judges.

206.8 CONFIDENTIAL RECORDS
The home address and telephone numbers of any peace officer, public defender, prosecutor, magistrate, court commissioner or judge contained in an application shall not be considered public record (Government Code § 6254(u)(2)).

Any information in an application for a license to carry a firearm that indicates when or where the applicant is vulnerable to attack or that concerns the applicant’s medical or psychological history or that of his/her family shall not be considered public record (Government Code § 6254(u)(1)).
Retiree Concealed Firearms

207.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines for the issuance, denial, suspension or revocation of Pleasant Hill Police Department identification cards under the Law Enforcement Officers’ Safety Act (LEOSA) and California law (18 USC § 926C; Penal Code § 25455).

207.2 POLICY
It is the policy of the Pleasant Hill Police Department to provide identification cards to qualified former or retired officers as provided in this policy.

207.3 LEOSA
The Chief of Police may issue an identification card for LEOSA purposes to any qualified former officer of this department who (18 USC § 926C(c)):

(a) Separated from service in good standing from this department as an officer.
(b) Before such separation, had regular employment as a law enforcement officer for an aggregate of 10 years or more or, if employed as a law enforcement officer for less than 10 years, separated from service after completing any applicable probationary period due to a service-connected disability as determined by this department.
(c) Has not been disqualified for reasons related to mental health.
(d) Has not entered into an agreement with this department where the officer acknowledges that he/she is not qualified to receive a firearm qualification certificate for reasons related to mental health.
(e) Is not prohibited by federal law from receiving or possessing a firearm.

207.3.1 LEOSA IDENTIFICATION CARD FORMAT
The LEOSA identification card should contain a photograph of the former officer and identify him/her as having been employed as an officer.

If the Pleasant Hill Police Department qualifies the former officer, the LEOSA identification card or separate certification should indicate the date the former officer was tested or otherwise found by the Department to meet the active duty standards for qualification to carry a firearm.

207.3.2 AUTHORIZATION
Any qualified former law enforcement officer, including a former officer of this department, may carry a concealed firearm under 18 USC § 926C when he/she is:

(a) In possession of photographic identification that identifies him/her as having been employed as a law enforcement officer, and one of the following:

1. An indication from the person’s former law enforcement agency that he/she has, within the past year, been tested or otherwise found by the law enforcement
Retiree Concealed Firearms

agency to meet agency-established active duty standards for qualification in firearms training to carry a firearm of the same type as the concealed firearm.

2. A certification, issued by either the state in which the person resides or by a certified firearms instructor who is qualified to conduct a firearms qualification test for active duty law enforcement officers within that state, indicating that the person has, within the past year, been tested or otherwise found to meet the standards established by the state or, if not applicable, the standards of any agency in that state.

(b) Not under the influence of alcohol or another intoxicating or hallucinatory drug or substance.

(c) Not prohibited by federal law from receiving a firearm.

(d) Not in a location prohibited by California law or by a private person or entity on his/her property if such prohibition is permitted by California law.

207.4 CALIFORNIA IDENTIFICATION CARD ISSUANCE

Any full-time sworn officer of this department who was authorized to, and did, carry a concealed firearm during the course and scope of his/her employment shall be issued an identification card with a Carrying Concealed Weapon endorsement, "CCW Approved," upon honorable retirement (Penal Code § 25455).

(a) For the purpose of this policy, honorably retired includes all peace officers who have qualified for, and accepted, a service or disability retirement. It shall not include any officer who retires in lieu of termination.

(b) No CCW Approved endorsement shall be issued to any officer retiring because of a psychological disability (Penal Code § 26305).

207.4.1 CALIFORNIA IDENTIFICATION CARD FORMAT

The identification card issued to any qualified and honorably retired officer shall be 2 inches by 3 inches, and minimally contain (Penal Code § 25460):

(a) A photograph of the retiree.

(b) The retiree’s name and date of birth.

(c) The date of retirement.

(d) The name and address of this department.

(e) A stamped CCW Approved endorsement along with the date by which the endorsement must be renewed (not more than one year). If a CCW endorsement has been denied or revoked, the identification card shall be stamped “No CCW Privilege.”

207.4.2 QUALIFIED RETIREES FROM INCORPORATED JURISDICTION

The Pleasant Hill Police Department shall provide an identification card with a CCW Approved endorsement to honorably retired peace officers from any jurisdiction that this department now serves under the following conditions (Penal Code § 25905):
Retiree Concealed Firearms

(a) The retiree’s previous agency is no longer providing law enforcement services or the relevant government body is dissolved.

(b) This department is in possession of the retiree’s complete personnel record or can verify the retiree’s honorably retired status.

(c) The retiree is in compliance with all of the requirements of this department for the issuance of a CCW Approved endorsement.

207.4.3 QUALIFIED RETIRED RESERVES
Upon request qualified Level I retired reserve officers who meet the department requirements of 20 years service shall be provided an identification card with a CCW Approved endorsement (Penal Code § 26300).

207.5 FORMER OFFICER RESPONSIBILITIES
A former officer with a card issued under this policy shall immediately notify the Watch Commander of his/her arrest or conviction in any jurisdiction, or that he/she is the subject of a court order, in accordance with the Reporting of Employee Convictions policy.

207.5.1 RESPONSIBILITIES UNDER LEOSA
In order to obtain or retain a LEOSA identification card, the former officer shall:

(a) Sign a waiver of liability of the Department for all acts taken related to carrying a concealed firearm, acknowledging both his/her personal responsibility as a private person for all acts taken when carrying a concealed firearm as permitted by LEOSA and also that these acts were not taken as an employee or former employee of the Department.

(b) Remain subject to all applicable department policies and federal, state and local laws.

(c) Demonstrate good judgment and character commensurate with carrying a loaded and concealed firearm.

(d) Successfully pass an annual criminal history background check indicating that he/she is not prohibited by law from receiving or possessing a firearm.

207.5.2 MAINTAINING A CALIFORNIA IDENTIFICATION CARD CCW ENDORSEMENT
In order to maintain a CCW Approved endorsement on an identification card issued under California law, the retired officer shall (Penal Code § 26305):

(a) Qualify annually with the authorized firearm at a course approved by this department at the retired officer’s expense.

(b) Remain subject to all applicable department policies and federal, state and local laws.

(c) Not engage in conduct that compromises public safety.

(d) Only be authorized to carry a concealed firearm inspected and approved by the Department.
207.6  **DENIAL, SUSPENSION OR REVOCATION OF A LEOSA IDENTIFICATION CARD**
A LEOSA identification card may be denied or revoked upon a showing of good cause as determined by the Department. In the event that an identification card is denied, suspended or revoked, the former officer may request a review by the Chief of Police. The decision of the Chief of Police is final.

207.7  **DENIAL, SUSPENSION OR REVOCATION OF A CALIFORNIA CCW ENDORSEMENT CARD**
A CCW endorsement under Penal Code § 25470 for any officer retired from this department may be denied or revoked only upon a showing of good cause. The CCW endorsement may be immediately and temporarily revoked by the Watch Commander when the conduct of a retired peace officer compromises public safety.

(a) In the event that a CCW endorsement is initially denied, the retired officer shall have 15 days from the date of denial to request a formal hearing. The failure to submit a timely written request for a hearing shall be deemed a waiver of such right. The hearing, absent written agreement between the parties, shall be held no later than 120 days after the request is received.

(b) Prior to revocation of any CCW endorsement, the Department shall provide the affected retiree with written notice of a hearing by either personal service or first class mail, postage prepaid, return receipt requested to the retiree’s last known address (Penal Code § 26315).

1. The retiree shall have 15 days from the date of service to file a written request for a hearing.

2. The hearing, absent written agreement between the parties, shall be held no later than 120 days after the request is received (Penal Code § 26315).

3. The failure to submit a timely written request for a hearing shall be deemed a waiver of such right.

(c) A hearing for the denial or revocation of any CCW endorsement shall be conducted before a hearing board composed of three members, one selected by the Department, one selected by the retiree or his/her employee organization and one selected jointly (Penal Code § 26320).

1. The decision of such hearing board shall be binding on the Department and the retiree.

2. Any retiree who waives the right to a hearing or whose CCW endorsement has been revoked at a hearing shall immediately surrender his/her identification card. The Department will then reissue a new identification card which shall be stamped “No CCW Privilege.”

(d) Members who have reason to suspect the conduct of a retiree has compromised public safety shall notify the Watch Commander as soon as practicable. The Watch Commander should promptly take appropriate steps to look into the matter and, if warranted, contact the retiree in person and advise him/her of the temporary suspension and hearing information listed below.
Retiree Concealed Firearms

1. Notification of the temporary suspension should also be promptly mailed to the retiree via first class mail, postage prepaid, return receipt requested (Penal Code § 26312).

2. The Watch Commander should document the investigation, the actions taken and, if applicable, any notification made to the retiree. The memo should be forwarded to the Chief of Police.

3. The personal and written notification should be as follows:
   (a) The retiree’s CCW endorsement is immediately and temporarily suspended.
   (b) The retiree has 15 days to request a hearing to determine whether the temporary suspension should become permanent revocation.
   (c) The retiree will forfeit his/her right to a hearing and the CCW endorsement will be permanently revoked if the retiree fails to respond to the notice of hearing within the 15-day period.

4. In the event that personal contact with the retiree cannot be reasonably achieved in a timely manner, the Watch Commander should attempt to make the above notice of temporary suspension through another law enforcement officer. For example, if a retiree was arrested or detained by a distant agency, the Watch Commander may request that a law enforcement officer from that agency act as the agent of the Department to deliver the written notification.

207.8 FIREARM QUALIFICATIONS
The Armorer may provide former officers from this department an opportunity to qualify. Written evidence of the qualification and the weapons used will be provided and will contain the date of the qualification. The Armorer will maintain a record of the qualifications and weapons used.
Training Policy

208.1 PURPOSE AND SCOPE
It is the policy of this department to administer a training program that will provide for the professional growth and continued development of its personnel. By doing so, the Department will ensure its personnel possess the knowledge and skills necessary to provide a professional level of service that meets the needs of the community.

208.2 PHILOSOPHY
The Department seeks to provide ongoing training and encourages all personnel to participate in advanced training and formal education on a continual basis. Training is provided within the confines of legal mandates, requirements of given assignments, staffing levels, and funding. Whenever possible, the Department will use courses certified by the California Commission on Peace Officer Standards and Training (POST).

208.3 OBJECTIVES
Some of the objectives of the Training Program are to:

(a) Enhance the level of law enforcement service to the public
(b) Increase the technical expertise and overall effectiveness of personnel
(c) Provide for continued professional development of department personnel
(d) Increase organizational professionalism
(e) Increase overall efficiency and effectiveness of the organization
(f) Build and maintain public trust

208.4 TRAINING PLAN
A training plan will be developed and maintained by the Professional Standards Sergeant. It is the responsibility of the Professional Standards Sergeant to maintain, review, and update the training plan on an annual basis. The plan will minimally address the following areas:

1. Mandated training
2. Technical expertise
3. Identification, planning, and scheduling for all personnel
4. Creation of training calendar
5. Professional training and development of all employees
6. Training Budget management
208.5 TRAINING PROCEDURES

(a) All employees assigned to attend training shall attend as scheduled unless previously excused by their immediate supervisor. Excused absences from mandatory training should generally be limited to the following:

1. Court appearances
2. First choice vacation
3. Sick leave
4. Physical limitations preventing the employee’s participation.
5. Emergency situations

(b) When an employee is unable to attend mandatory training, that employee shall:

1. Notify his/her supervisor as soon as possible but no later than one hour prior to the start of training.
2. Make arrangements through his/her supervisor or the Professional Standards Sergeant to attend the required training on an alternate date.
Chapter 3 - General Operations
Use of Force

300.1 PURPOSE AND SCOPE
This policy provides guidelines on the reasonable use of force. While there is no way to specify the exact amount or type of reasonable force to be applied in any situation, every member of this department is expected to use these guidelines to make such decisions in a professional, impartial and reasonable manner.

300.1.1 DEFINITIONS
Definitions related to this policy include:

Deadly force - Any use of force that creates a substantial risk of causing death or serious bodily injury, including but not limited to the discharge of a firearm (Penal Code § 835a).

Force - The application of physical techniques or tactics, chemical agents, or weapons to another person. It is not a use of force when a person allows him/herself to be searched, escorted, handcuffed, or restrained.

300.2 POLICY
The use of force by law enforcement personnel is a matter of critical concern, both to the public and to the law enforcement community. Officers are involved on a daily basis in numerous and varied interactions and, when warranted, may use reasonable force in carrying out their duties.

Officers must have an understanding of, and true appreciation for, their authority and limitations. This is especially true with respect to overcoming resistance while engaged in the performance of law enforcement duties.

The Department recognizes and respects the value of all human life and dignity without prejudice to anyone. Vesting officers with the authority to use reasonable force and to protect the public welfare requires monitoring, evaluation and a careful balancing of all interests.

300.2.1 DUTY TO INTERCEDE
Any officer present and observing another officer using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, intercede to prevent the use of unreasonable force. An officer who observes another employee use force that exceeds the degree of force permitted by law should promptly report these observations to a supervisor.

300.3 USE OF FORCE
Officers shall use only that amount of force that reasonably appears necessary given the facts and totality of the circumstances known to or perceived by the officer at the time of the event to accomplish a legitimate law enforcement purpose (Penal Code § 835a).

The reasonableness of force will be judged from the perspective of a reasonable officer on the scene at the time of the incident. Any evaluation of reasonableness must allow for the fact that officers are often forced to make split-second decisions about the amount of force that reasonably
Use of Force

appears necessary in a particular situation, with limited information and in circumstances that are
tense, uncertain, and rapidly evolving.

Given that no policy can realistically predict every possible situation an officer might encounter,
officers are entrusted to use well-reasoned discretion in determining the appropriate use of force
in each incident.

It is also recognized that circumstances may arise in which officers reasonably believe that it
would be impractical or ineffective to use any of the tools, weapons, or methods provided by the
Department. Officers may find it more effective or reasonable to improvise their response to rapidly
unfolding conditions that they are confronting. In such circumstances, the use of any improvised
device or method must nonetheless be objectively reasonable and utilized only to the degree that
reasonably appears necessary to accomplish a legitimate law enforcement purpose.

While the ultimate objective of every law enforcement encounter is to avoid or minimize injury,
nothing in this policy requires an officer to retreat or be exposed to possible physical injury before
applying reasonable force.

300.3.1 USE OF FORCE TO EFFECT AN ARREST
Any peace officer may use objectively reasonable force to effect an arrest, to prevent escape,
or to overcome resistance. A peace officer who makes or attempts to make an arrest need not
retreat or desist from his/her efforts by reason of resistance or threatened resistance on the part
of the person being arrested; nor shall an officer be deemed the aggressor or lose his/her right to
self-defense by the use of reasonable force to effect the arrest, prevent escape, or to overcome
resistance. Retreat does not mean tactical repositioning or other de-escalation techniques (Penal
Code § 835a).

300.3.2 FACTORS USED TO DETERMINE THE REASONABLENESS OF FORCE
When determining whether to apply force and evaluating whether an officer has used reasonable
force, a number of factors should be taken into consideration, as time and circumstances permit.
These factors include but are not limited to:

(a) The apparent immediacy and severity of the threat to officers or others (Penal Code
§ 835a).
(b) The conduct of the individual being confronted, as reasonably perceived by the officer
at the time.
(c) Officer/subject factors (age, size, relative strength, skill level, injuries sustained, level
of exhaustion or fatigue, the number of officers available vs. subjects).
(d) The conduct of the involved officer (Penal Code § 835a).
(e) The effects of drugs or alcohol.
(f) The individual's apparent mental state or capacity (Penal Code § 835a).
(g) The individual’s apparent ability to understand and comply with officer commands
(Penal Code § 835a).
Use of Force

(h) Proximity of weapons or dangerous improvised devices.

(i) The degree to which the subject has been effectively restrained and his/her ability to resist despite being restrained.

(j) The availability of other reasonable and feasible options and their possible effectiveness (Penal Code § 835a).

(k) Seriousness of the suspected offense or reason for contact with the individual.

(l) Training and experience of the officer.

(m) Potential for injury to officers, suspects, and others.

(n) Whether the person appears to be resisting, attempting to evade arrest by flight, or is attacking the officer.

(o) The risk and reasonably foreseeable consequences of escape.

(p) The apparent need for immediate control of the subject or a prompt resolution of the situation.

(q) Whether the conduct of the individual being confronted no longer reasonably appears to pose an imminent threat to the officer or others.

(r) Prior contacts with the subject or awareness of any propensity for violence.

(s) Any other exigent circumstances.

300.3.3 PAIN COMPLIANCE TECHNIQUES
Pain compliance techniques may be effective in controlling a physically or actively resisting individual. Officers may only apply those pain compliance techniques for which they have successfully completed department-approved training. Officers utilizing any pain compliance technique should consider:

(a) The degree to which the application of the technique may be controlled given the level of resistance.

(b) Whether the person can comply with the direction or orders of the officer.

(c) Whether the person has been given sufficient opportunity to comply.

The application of any pain compliance technique shall be discontinued once the officer determines that compliance has been achieved.

Pain compliance techniques will not be used upon passive resisters.

Department approved control holds and techniques, for which officers have received department approved training, may be used to detain, search, or arrest persons; in other words, department approved control holds and techniques may be used for "routine" search and/or handcuffing situations in which person submits to the authority of the officer but officer safety and training indicates a control hold or technique should be used. The reasonable use of such department approved control holds and techniques upon persons for whom there is probable cause to detain, search or arrest is not the subject of this provision of policy and is not considered a use of force.
Use of Force

Rather, the preceding provisions are concerned with persons who are actively and physically resisting the officer.

300.3.4 CAROTID CONTROL HOLD
The proper application of the carotid control hold may be effective in restraining a violent or combative individual. However, due to the potential for injury, the use of the carotid control hold is subject to the following:

(a) The officer shall have successfully completed department-approved training in the use and application of the carotid control hold.

(b) The carotid control hold may only be used when circumstances perceived by the officer at the time indicate that such application reasonably appears necessary to control a person in any of the following circumstances:
   1. The subject is violent or physically resisting.
   2. The subject, by words or actions, has demonstrated an intention to be violent and reasonably appears to have the potential to harm officers, him/herself or others.

(c) The application of a carotid control hold on the following individuals should generally be avoided unless the totality of the circumstances indicates that other available options reasonably appear ineffective, or would present a greater danger to the officer, the subject or others, and the officer reasonably believes that the need to control the individual outweighs the risk of applying a carotid control hold:
   1. Females who are known to be pregnant
   2. Elderly individuals
   3. Obvious juveniles
   4. Individuals who appear to have Down syndrome or who appear to have obvious neck deformities or malformations, or visible neck injuries

(d) Any individual who has had the carotid control hold applied, regardless of whether he/she was rendered unconscious, shall be promptly examined by paramedics or other qualified medical personnel and should be monitored until examined by paramedics or other appropriate medical personnel.

(e) The officer shall inform any person receiving custody, or any person placed in a position of providing care, that the individual has been subjected to the carotid control hold and whether the subject lost consciousness as a result.

(f) Any officer attempting or applying the carotid control hold shall promptly notify a supervisor of the use or attempted use of such hold.

(g) The use or attempted use of the carotid control hold shall be thoroughly documented by the officer in any related reports.
300.3.5 USE OF FORCE TO SEIZE EVIDENCE
In general, officers may use reasonable force to lawfully seize evidence and to prevent the destruction of evidence. However, officers are discouraged from using force solely to prevent a person from swallowing evidence or contraband. In the instance when force is used, officers should not intentionally use any technique that restricts blood flow to the head, restricts respiration or which creates a reasonable likelihood that blood flow to the head or respiration would be restricted. Officers are encouraged to use techniques and methods taught by the Pleasant Hill Police Department for this specific purpose.

300.4 DEADLY FORCE APPLICATIONS
If an objectively reasonable officer would consider it safe and feasible to do so under the totality of the circumstances, officers should evaluate the use of other reasonably available resources and techniques when determining whether to use deadly force. The use of deadly force is only justified in the following circumstances (Penal Code § 835a):

(a) An officer may use deadly force to protect him/herself or others from what he/she reasonably believes is an imminent threat of death or serious bodily injury to the officer or another person.

(b) An officer may use deadly force to apprehend a fleeing person for any felony that threatened or resulted in death or serious bodily injury, if the officer reasonably believes that the person will cause death or serious bodily injury to another unless immediately apprehended. Where feasible, the officer shall, prior to the use of force, make reasonable efforts to identify themselves as a peace officer and to warn that deadly force may be used, unless the officer has objectively reasonable grounds to believe the person is aware of those facts.

Officers shall not use deadly force against a person based on the danger that person poses to him/herself, if an objectively reasonable officer would believe the person does not pose an imminent threat of death or serious bodily injury to the officer or to another person (Penal Code § 835a).

An “imminent” threat of death or serious bodily injury exists when, based on the totality of the circumstances, a reasonable officer in the same situation would believe that a person has the present ability, opportunity, and apparent intent to immediately cause death or serious bodily injury to the officer or another person. An officer’s subjective fear of future harm alone is insufficient as an imminent threat. An imminent threat is one that from appearances is reasonably believed to require instant attention (Penal Code § 835a).

300.4.1 SHOOTING AT OR FROM MOVING VEHICLES
Shots fired at or from a moving vehicle are rarely effective. Officers should move out of the path of an approaching vehicle instead of discharging their firearm at the vehicle or any of its occupants. An officer should only discharge a firearm at a moving vehicle or its occupants when the officer reasonably believes there are no other reasonable means available to avert the threat of the vehicle, or if deadly force other than the vehicle is directed at the officer or others.

Officers should not shoot at any part of a vehicle in an attempt to disable the vehicle.
Use of Force

300.4.2 WARNING SHOTS
Generally, warning shots or shots fired for the purpose of summoning aid are prohibited.

300.5 REPORTING THE USE OF FORCE
Any use of force by a member of this department shall be documented promptly, completely and accurately in an appropriate report, depending on the nature of the incident. The officer should articulate the factors perceived and why he/she believed the use of force was reasonable under the circumstances. To collect data for purposes of training, resource allocation, analysis and related purposes, the Department may require the completion of additional report forms, as specified in department policy, procedure or law.

The use of force will be reported to the Division Commander on the Department Use of Force form and the Supervisor's Daily Report by Watch Commanders.

Watch Commanders will certify on the Use of Force form the use of force was reviewed by the Watch Commander and the Watch Commander will make a determination on policy compliance. This form will be forwarded to the Division Commander.

The Division Commander will review the crime report, Use of Force form, Supervisor's Daily Report, and any other relevant available information and will make a determination on policy compliance. The Division Commander will retain all completed Use of Force forms for a minimum of two years (see City Records Retention schedule).

For instances in which a determination was made the use of force was not in compliance with policy further action will be taken as appropriate.

300.5.1 NOTIFICATION TO SUPERVISORS
Supervisory notification shall be made as soon as practicable following the application of force in any of the following circumstances:

(a) The application caused a visible injury.
(b) The application would lead a reasonable officer to conclude that the individual may have experienced more than momentary discomfort.
(c) The individual subjected to the force complained of injury or continuing pain.
(d) The individual indicates intent to pursue litigation.
(e) Any application of a TASER device or control device.
(f) Any application of a restraint device other than handcuffs, shackles or belly chains.
(g) The individual subjected to the force was rendered unconscious.
(h) An individual was struck or kicked.
(i) An individual alleges any of the above has occurred.
Use of Force

300.5.2 REPORTING TO CALIFORNIA DEPARTMENT OF JUSTICE
The Support Services Supervisor or the authorized designee shall ensure that data required by the Department of Justice (DOJ) regarding all officer-involved shootings and incidents involving use of force resulting in serious bodily injury is collected and forwarded to the DOJ as required by Government Code § 12525.2.

300.6 MEDICAL CONSIDERATION
Prior to booking or release, medical assistance shall be obtained for any person who exhibits signs of physical distress, who has sustained visible injury, expresses a complaint of injury or continuing pain, or who was rendered unconscious. Any individual exhibiting signs of physical distress after an encounter should be continuously monitored until he/she can be medically assessed.

Based upon the officer’s initial assessment of the nature and extent of the subject’s injuries, medical assistance may consist of examination by fire personnel, paramedics, hospital staff or medical staff at the jail. If any such individual refuses medical attention, such a refusal shall be fully documented in related reports and, whenever practicable, should be witnessed by another officer and/or medical personnel. If a recording is made of the contact or an interview with the individual, any refusal should be included in the recording, if possible.

The on-scene supervisor or, if the on-scene supervisor is not available, the primary handling officer shall ensure that any person providing medical care or receiving custody of a person following any use of force is informed that the person was subjected to force. This notification shall include a description of the force used and any other circumstances the officer reasonably believes would be potential safety or medical risks to the subject (e.g., prolonged struggle, extreme agitation, impaired respiration).

Persons who exhibit extreme agitation, violent irrational behavior accompanied by profuse sweating, extraordinary strength beyond their physical characteristics and imperviousness to pain (sometimes called “excited delirium”), or who require a protracted physical encounter with multiple officers to be brought under control, may be at an increased risk of sudden death. Calls involving these persons should be considered medical emergencies. Officers who reasonably suspect a medical emergency should request medical assistance as soon as practicable and have medical personnel stage away if appropriate.

300.7 SUPERVISOR RESPONSIBILITY
When a supervisor is able to respond to an incident in which there has been a reported application of force, the supervisor is expected to:

(a) Obtain the basic facts from the involved officers. Absent an allegation of misconduct or excessive force, this will be considered a routine contact in the normal course of duties.

(b) Ensure that any injured parties are examined and treated.

(c) The supervisor may consider separately obtaining a recorded interview with the subject upon whom force was applied. The waiver of Miranda rights or a non
interrogatory interview absent *Miranda* will be factors a supervisor must consider if this step is undertaken.

(d) Once any initial medical assessment has been completed or first aid has been rendered, ensure that photographs have been taken of any areas involving visible injury or complaint of pain, as well as overall photographs of uninjured areas.

(e) Identify any witnesses not already included in related reports.

(f) Review and approve all related reports.

(g) Determine if there is any indication that the subject may pursue civil litigation, the supervisor should notify the Division Commander or On Call Commander as appropriate.

(h) Evaluate the circumstances surrounding the incident and determine if the use of force appeared to be policy compliant. (Also see the Department *Use of Force* form). If there is a question of policy non-compliance or if other circumstances are present, further investigation may be appropriate.

In the event that a supervisor is unable to respond to the scene of an incident involving the reported application of force, the supervisor is still expected to complete as many of the above items as circumstances permit.

300.8 TRAINING
Officers will receive periodic training on this policy and demonstrate their knowledge and understanding.

300.9 USE OF FORCE ANALYSIS
At least annually, the Operations Division Commander should prepare an analysis report on use of force incidents. The report should be submitted to the Chief of Police. The report should not contain the names of officers, suspects or case numbers, and should include:

(a) The identification of any trends in the use of force by members.

(b) Training needs recommendations.

(c) Equipment needs recommendations.

(d) Policy revision recommendations.
Deadly Force Review

301.1 PURPOSE AND SCOPE
This policy establishes a process for the Pleasant Hill Police Department to review the use of force by its employees.

This review process shall be in addition to any other review or investigation that may be conducted by any outside or multi-agency entity having jurisdiction over the investigation or evaluation of the use of deadly force.

301.2 POLICY
The Pleasant Hill Police Department will objectively evaluate the use of force by its members to ensure that their authority is used lawfully, appropriately and is consistent with training and policy.

301.3 REMOVAL FROM LINE DUTY ASSIGNMENT
Generally, whenever an employee's actions or use of force in an official capacity, or while using department equipment, results in death or very serious injury to another, that employee will be placed in a temporary administrative assignment pending an administrative review. The Chief of Police may exercise discretion and choose not to place an employee in an administrative assignment in any case.

301.4 REVIEW BOARD
The Use of Force Review Board will be convened when the use of force by a member results in very serious injury or death to another person.

The Use of Force Review Board will also investigate and review the circumstances surrounding every discharge of a firearm, whether the employee was on- or off-duty, excluding training or recreational use.

The Chief of Police may request the Use of Force Review Board to investigate the circumstances surrounding any use of force incident.

The Captain or designee will convene the Use of Force Review Board as necessary. It will be the responsibility of the Division Commander to notify the Captain of any incidents requiring board review. A Division Commander will serve as chairperson. The chairperson will also ensure that all relevant reports, documents and materials are available for consideration and review by the board.

301.4.1 RESPONSIBILITIES OF THE BOARD
The Use of Force Review Board is empowered to conduct an administrative review and inquiry into the circumstances of an incident.

The board members may request further investigation, request reports be submitted for the board's review, call persons to present information and request the involved employee to appear.
The involved employee will be notified of the meeting of the board and may choose to have a representative through all phases of the review process.

The board does not have the authority to recommend discipline.

The Chief of Police will determine whether the board should delay its review until after completion of any criminal investigation, review by any prosecutorial body, filing of criminal charges the decision not to file criminal charges, or any other action. The board should be provided all relevant available material from these proceedings for its consideration.

Absent an express waiver from the employee, no more than two members of the board may ask questions of the involved employee (Government Code § 3303). Other members may provide questions to these members.

The review shall be based upon those facts which were reasonably believed or known by the officer at the time of the incident, applying any legal requirements, department policies, procedures and approved training to those facts. Facts later discovered but unknown to the officer at the time shall neither justify nor call into question an officer's decision regarding the use of force.

Any questioning of the involved employee conducted by the board will be in accordance with the department's disciplinary procedures, the current collective bargaining agreement, City Personnel Rules, and any applicable state or federal law.

The board shall make one of the following recommended findings:

(a) The employee's actions were within department policy and procedure.

(b) The employee's actions were in violation of department policy and procedure.

A recommended finding requires a majority vote of the board. The board may also recommend additional investigations or reviews, such as disciplinary investigations, training reviews to consider whether training should be developed or revised, and policy reviews, as may be appropriate. The board chairperson will submit the written recommendation to the Chief of Police.

The Chief of Police shall review the recommendation, make a final determination as to whether the employee's actions were within policy and procedure and will determine whether any additional actions, investigations or reviews are appropriate. The Chief of Police's final findings will be forwarded to the involved employee's Division Commander for review and appropriate action. If the Chief of Police concludes that discipline should be considered, a disciplinary process will be initiated.

At the conclusion of any additional reviews, copies of all relevant reports and information will be filed with the Chief of Police.
Handcuffing and Restraints

302.1 PURPOSE AND SCOPE
This policy provides guidelines for the use of handcuffs and other restraints during detentions and arrests.

302.2 POLICY
The Pleasant Hill Police Department authorizes the use of restraint devices in accordance with this policy, the Use of Force Policy and department training. Restraint devices shall not be used to punish, to display authority or as a show of force.

302.3 USE OF RESTRAINTS
Only members who have successfully completed Pleasant Hill Police Department-approved training on the use of restraint devices described in this policy are authorized to use these devices.

When deciding whether to use any restraint, officers should carefully balance officer safety concerns with factors that include, but are not limited to:

- The circumstances or crime leading to the arrest.
- The demeanor and behavior of the arrested person.
- The age and health of the person.
- Whether the person is known to be pregnant.
- Whether the person has a hearing or speaking disability. In such cases, consideration should be given, safety permitting, to handcuffing to the front in order to allow the person to sign or write notes.
- Whether the person has any other apparent disability.

302.3.1 RESTRAINT OF DETAINEES
Situations may arise where it may be reasonable to restrain an individual who may, after brief investigation, be released without arrest. Unless arrested, the use of restraints on detainees should continue only for as long as is reasonably necessary to assure the safety of officers and others. When deciding whether to remove restraints from a detainee, officers should continuously weigh the safety interests at hand against the continuing intrusion upon the detainee.

302.3.2 RESTRAINT OF PREGNANT PERSONS
Persons who are known to be pregnant should be restrained in the least restrictive manner that is effective for officer safety. These persons be should not be restrained by the use of leg irons, waist chains or handcuffed behind the body except for extreme circumstances where the safety of the public, officers, and the detainee are at risk.
Handcuffing and Restraints

No person who is in labor shall be handcuffed or restrained except in extraordinary circumstances and only when a supervisor makes an individualized determination that such restraints are necessary to prevent escape and injury, and ensure the safety of the others, officers, or the detainee.

302.3.3 RESTRAINT OF JUVENILES
A juvenile under 14 years of age should not be restrained unless he/she is suspected of a dangerous felony or when the officer has a reasonable suspicion that the juvenile may resist, attempt escape, injure him/herself, injure the officer or damage property.

302.3.4 NOTIFICATIONS
Whenever an officer transports a person with the use of the WRAP, the officer shall inform the jail staff upon arrival at the jail that the restraint was used. This notification should include information regarding any other circumstances the officer reasonably believes would be potential safety concerns or medical risks to the subject (e.g., prolonged struggle, extreme agitation, impaired respiration) that may have occurred prior to, or during transportation to the jail.

302.4 APPLICATION OF HANDCUFFS OR PLASTIC CUFFS
Handcuffs, including temporary nylon or plastic cuffs, may be used only to restrain a person’s hands to ensure officer safety.

Although recommended for most arrest situations, handcuffing is discretionary and not an absolute requirement of the Department. Officers should consider handcuffing any person they reasonably believe warrants that degree of restraint. However, officers should not conclude that in order to avoid risk every person should be handcuffed, regardless of the circumstances.

In most situations handcuffs should be applied with the hands behind the person’s back. When feasible, handcuffs should be double-locked to prevent tightening, which may cause undue discomfort or injury to the hands or wrists.

In situations where one pair of handcuffs does not appear sufficient to restrain the individual or may cause unreasonable discomfort due to the person’s size, officers should consider alternatives, such as using an additional set of handcuffs or multiple plastic cuffs.

Handcuffs should be removed as soon as it is reasonable or after the person has been searched and is safely confined within a detention facility.

302.5 APPLICATION OF SPIT HOODS/MASKS/SOCKS
Spit hoods/masks/socks are temporary protective devices designed to prevent the wearer from biting and/or transferring or transmitting fluids (saliva and mucous) to others.

Spit hoods may be placed upon persons in custody when the officer reasonably believes the person will bite or spit, either on a person or in an inappropriate place. They are generally used during application of a physical restraint, while the person is restrained, or during or after transport.
Handcuffing and Restraints

Officers utilizing spit hoods should ensure that the spit hood is fastened properly to allow for adequate ventilation and that the restrained person can breathe normally. Officers should provide assistance during the movement of restrained individuals due to the potential for impaired or distorted vision on the part of the individual. Officers should avoid comingling individuals wearing spit hoods with other detainees.

Spit hoods should not be used in situations where the restrained person is bleeding profusely from the area around the mouth or nose, or if there are indications that the person has a medical condition, such as difficulty breathing or vomiting. In such cases, prompt medical care should be obtained. If the person vomits while wearing a spit hood, the spit hood should be promptly removed and discarded. Persons who have been sprayed with oleoresin capsicum (OC) spray should be thoroughly decontaminated including hair, head and clothing prior to application of a spit hood.

Those who have been placed in a spit hood should be continually monitored and shall not be left unattended until the spit hood is removed. Spit hoods shall be discarded after each use.

302.6 APPLICATION OF AUXILIARY RESTRAINT DEVICES
Auxiliary restraint devices include transport belts, waist or belly chains, transportation chains, leg irons and other similar devices. Auxiliary restraint devices are intended for use during long-term restraint or transportation. They provide additional security and safety without impeding breathing, while permitting adequate movement, comfort and mobility.

Only department-authorized devices may be used. The WRAP is the only auxiliary restraint authorized for use.

302.7 APPLICATION OF LEG RESTRAINT DEVICES
Leg restraints may be used to restrain the legs of a violent or potentially violent person when it is reasonable to do so during the course of detention, arrest or transportation. Only restraint devices approved by the Department shall be used.

In determining whether to use the leg restraint, officers should consider:

(a) Whether the officer or others could be exposed to injury due to the assaultive or resistant behavior of a suspect.

(b) Whether it is reasonably necessary to protect the suspect from his/her own actions (e.g., hitting his/her head against the interior of the patrol unit, running away from the arresting officer while handcuffed, kicking at objects or officers).

(c) Whether it is reasonably necessary to avoid damage to property (e.g., kicking at windows of the patrol unit).

302.7.1 GUIDELINES FOR USE OF LEG RESTRAINTS
When applying the WRAP as a leg restraint device the following guidelines should be followed:
Handcuffing and Restraints

(a) If practicable, officers should notify a supervisor of the intent to apply the leg restraint device. In all cases, a supervisor shall be notified as soon as practicable after the application of the leg restraint device.

(b) Once applied, absent a medical or other emergency, restraints should remain in place until the officer arrives at the jail or other facility or the person no longer reasonably appears to pose a threat.

(c) Once secured, the person should be placed in a seated or upright position, secured with a seat belt for transport, and shall not be placed on his/her stomach for an extended period, as this could reduce the person's ability to breathe.

(d) The restrained person should be continually monitored by an officer while in the leg restraint. The officer should ensure that the person does not roll onto and remain on his/her stomach.

(e) The officer should look for signs of labored breathing and take appropriate steps to relieve and minimize any obvious factors contributing to this condition.

(f) If transported by ambulance/paramedic unit in the WRAP leg restraint or after the WRAP leg restraint has been applied and removed, the restrained person should be accompanied by an officer when requested by medical personnel. The officer should describe to medical personnel any unusual behaviors or other circumstances the officer reasonably believes would be potential safety or medical risks to the subject (e.g., prolonged struggle, extreme agitation, impaired respiration).

302.8 REQUIRED DOCUMENTATION
The use of the WRAP shall be documented in the related report. The officer should include, as appropriate:

(a) The amount of time the suspect was restrained.

(b) How the suspect was transported and the position of the suspect.

(c) Observations of the suspect's behavior and any signs of physiological problems.

(d) Any known or suspected drug use or other medical problems.
TASERS

303.1 PURPOSE AND SCOPE
This policy provides guidelines for the issuance and use of TASER devices.

303.2 POLICY
The TASER® device is intended to control a violent or potentially violent individual, while minimizing the risk of serious injury. The appropriate use of such a device should result in fewer serious injuries to officers and suspects.

303.3 ISSUANCE AND CARRYING TASER DEVICES
Only members who have successfully completed department-approved training may be issued and carry the TASER device.

TASER devices are issued for use during a member’s current assignment. Those leaving a particular assignment may be required to return the device to the department's inventory.

Officers shall only use the TASER device and cartridges that have been issued by the Department. Uniformed officers who have been issued the TASER device shall wear the device in an approved holster on their person. Non-uniformed officers may secure the TASER device in the driver’s compartment of their vehicle.

Members carrying the TASER device should perform a spark test on the unit prior to every shift.

When carried while in uniform officers shall carry the TASER device in a weak-side holster on the side opposite the duty weapon.

(a) All TASER devices shall be clearly and distinctly marked to differentiate them from the duty weapon and any other device.

(b) Whenever practicable, officers should carry one or more cartridges on their person when carrying the TASER device.

(c) Officers shall be responsible for ensuring that their issued TASER device is properly maintained and in good working order.

(d) Officers should not hold both a firearm and the TASER device at the same time.

303.3.1 PATROL DIVISION CARRY REQUIREMENTS
Patrol Division personnel who have completed the TASER certification course will be required to have the TASER in their immediate possession at all calls in which the potential use of force can be reasonably anticipated. The TASER is not required to be in the possession of personnel engaged in routine enforcement duties, including traffic enforcement.

The provisions of this subsection will not apply if there are an insufficient number of TASERs available for all on duty personnel, e.g., increased staffing due to special events.
303.4 VERBAL AND VISUAL WARNINGS
A verbal warning of the intended use of the TASER device should precede its application, unless it would otherwise endanger the safety of officers or when it is not practicable due to the circumstances. The purpose of the warning is to:

(a) Provide the individual with a reasonable opportunity to voluntarily comply.
(b) Provide other officers and individuals with a warning that the TASER device may be deployed.

If, after a verbal warning, an individual is unwilling to voluntarily comply with an officer’s lawful orders and it appears both reasonable and feasible under the circumstances, the officer may, but is not required to, display the electrical arc (provided that a cartridge has not been loaded into the device), or the laser in a further attempt to gain compliance prior to the application of the TASER device. The aiming laser should never be intentionally directed into the eyes of another as it may permanently impair his/her vision.

The fact that a verbal or other warning was given or the reasons it was not given shall be documented by the officer deploying the TASER device in the related report.

303.5 USE OF THE TASER DEVICE
The TASER device has limitations and restrictions requiring consideration before its use. The TASER device should only be used when its operator can safely approach the subject within the operational range of the device. Although the TASER device is generally effective in controlling most individuals, officers should be aware that the device may not achieve the intended results and be prepared with other options.

303.5.1 APPLICATION OF THE TASER DEVICE
TASER devices may be used in any of the following circumstances, when the circumstances perceived by the officer at the time indicate that such application is reasonably necessary to control a person:

(a) The subject is violent or physically resisting and officers can articulate a perceived immediate danger to themselves or others.
(b) The subject has demonstrated, by words or action, an intention to be violent, or to physically resist, and reasonably appears to present the potential of a perceived immediate dangerharm officers, him/herself, or others.

Mere flight from a pursuing officer, without other known circumstances or factors, is not good cause for the use of the TASER device to apprehend an individual.

303.5.2 SPECIAL DEPLOYMENT CONSIDERATIONS
The use of the TASER device on certain individuals should generally be avoided unless the totality of the circumstances indicates that other available options reasonably appear ineffective or would present a greater danger to the officer, the subject or others, and the officer reasonably believes that the need to control the individual outweighs the risk of using the device. This includes:
TASERS

(a) Individuals who are known to be pregnant.
(b) Elderly individuals or obvious juveniles.
(c) Individuals with obviously low body mass.
(d) Individuals who are handcuffed or otherwise restrained.
(e) Individuals who have been recently sprayed with a flammable chemical agent or who are otherwise in close proximity to any known combustible vapor or flammable material, including alcohol-based oleoresin capsicum (OC) spray.
(f) Individuals whose position or activity may result in collateral injury (e.g., falls from height, operating vehicles).

Because the application of the TASER device in the drive-stun mode (i.e., direct contact without probes) relies primarily on pain compliance, the use of the drive-stun mode generally should be limited to supplementing the probe-mode to complete the circuit, or as a distraction technique to gain separation between officers and the subject, thereby giving officers time and distance to consider other force options or actions.

The TASER device shall not be used to psychologically torment, elicit statements or to punish any individual.

303.5.3 TARGETING CONSIDERATIONS
Reasonable efforts should be made to target lower center mass and avoid the head, neck, chest and groin. If the dynamics of a situation or officer safety do not permit the officer to limit the application of the TASER device probes to a precise target area, officers should monitor the condition of the subject if one or more probes strikes the head, neck, chest or groin until the subject is examined by paramedics or other medical personnel.

303.5.4 MULTIPLE APPLICATIONS OF THE TASER DEVICE
Officers should apply the TASER device for only one standard cycle and then evaluate the situation before applying any subsequent cycles. Multiple applications of the TASER device against a single individual are generally not recommended and should be avoided unless the officer reasonably believes that the need to control the individual outweighs the potentially increased risk posed by multiple applications.

If the first application of the TASER device appears to be ineffective in gaining control of an individual, the officer should consider certain factors before additional applications of the TASER device, including:

(a) Whether the probes are making proper contact.
(b) Whether the individual has the ability and has been given a reasonable opportunity to comply.
(c) Whether verbal commands, other options or tactics may be more effective.

Officers should generally not intentionally apply more than one TASER device at a time against a single subject.
303.5.5 DANGEROUS ANIMALS
The TASER device may be deployed against an animal as part of a plan to deal with a potentially dangerous animal, such as a dog, if the animal reasonably appears to pose an imminent threat to human safety and alternative methods are not reasonably available or would likely be ineffective.

303.5.6 TASER® CAM™
The TASER CAM is activated any time the safety is in the off position. The safety should be in the safe position unless the officer intends to use the device. Because the TASER CAM memory is limited, the video and audio data should be downloaded frequently and retained as required by the department records retention schedule.

303.5.7 OFF-DUTY CONSIDERATIONS
Officers are not authorized to carry department TASER devices while off-duty.

Officers shall ensure that TASER devices are secured while in their homes, vehicles or any other area under their control, in a manner that will keep the device inaccessible to others.

303.6 DOCUMENTATION
Officers shall document all TASER device discharges in the related arrest/crime report. This will include information on the circumstances surrounding the discharge. Notification shall also be made to a supervisor in compliance with the Use of Force Policy.

Supervisors will note uses of the TASER on the Department Use of Force form and Supervisor’s Daily Report.

Pointing the device at a person, laser activation and arcing the device will also be documented on the Department’s Use of Force form and Supervisor’s Daily Report.

Accidental discharges of the TASER, as a result of testing, will be documented via memorandum forwarded to the employee’s Division Commander.

The onboard TASER memory will be downloaded and saved in the TASER file after a discharge. The file will be maintained by the Operations Division Commander or designee.

303.6.1 REPORTING
Officers preparing reports on TASER use should document the following in the crime/arrest report:

(a) The type and brand of TASER device and cartridge and cartridge serial number.
(b) Date, time and location of the incident.
(c) Whether any display, laser or arc deterred a subject and gained compliance.
(d) The number of TASER device activations, the duration of each cycle, the duration between activations, and (as best as can be determined) the duration that the subject received applications.
(e) The range at which the TASER device was used.
(f) The type of mode used (probe or drive-stun).
TASERS

(g) Location of any probe impact.
(h) Location of contact in drive-stun mode.
(i) Description of where missed probes went.
(j) Whether medical care was provided to the subject.
(k) Whether the subject sustained any injuries.
(l) Whether any officers sustained any injuries.
(m) Identification of all personnel firing TASER devices
(n) Identification of all witnesses
(o) Observations of the subject's physical and physiological actions
(p) Any known or suspected drug use, intoxication or other medical problems

303.7 MEDICAL TREATMENT
Consistent with local medical personnel protocols and absent extenuating circumstances, only appropriate medical personnel should remove TASER device probes from a person’s body. Used TASER device probes shall be treated as a sharps biohazard, similar to a used hypodermic needle, and handled appropriately. Universal precautions should be taken.

All persons who have been struck by TASER device probes or who have been subjected to the electric discharge of the device shall be medically assessed prior to booking. Additionally, any such individual who falls under any of the following categories should, as soon as practicable, be examined by paramedics or other qualified medical personnel:

(a) The person is suspected of being under the influence of controlled substances and/or alcohol.
(b) The person may be pregnant.
(c) The person reasonably appears to be in need of medical attention.
(d) The TASER device probes are lodged in a sensitive area (e.g., groin, female breast, head, face, neck).
(e) The person requests medical treatment.

Any individual exhibiting signs of distress or who is exposed to multiple or prolonged applications (i.e., more than 15 seconds) shall be transported to a medical facility for examination or medically evaluated prior to booking. If any individual refuses medical attention, such a refusal should be witnessed by another officer and/or medical personnel and shall be fully documented in related reports. If an audio recording is made of the contact or an interview with the individual, any refusal should be included, if possible.

The transporting officer shall inform any person providing medical care or receiving custody that the individual has been subjected to the application of the TASER device.
303.8 SUPERVISOR RESPONSIBILITIES
When possible, supervisors should respond to calls when they reasonably believe there is a likelihood the TASER device may be used. A supervisor should respond to all incidents where the TASER device was activated.

A supervisor should review each incident where a person has been exposed to an activation of the TASER device. The device’s onboard memory should be downloaded through the data port by a supervisor or Professional Standards Sergeant and saved with the related arrest/crime report. Photographs of probe sites should be taken and witnesses interviewed.

303.9 TRAINING
Personnel who are authorized to carry the TASER device shall be permitted to do so only after successfully completing the initial department-approved training. Any personnel who have not carried the TASER device as a part of their assignment for a period of one year or more shall be re-certified by a department-approved TASER device instructor prior to again carrying or using the device.

Proficiency training for personnel who have been issued TASER devices should occur every year. A reassessment of an officer's knowledge and/or practical skill may be required at any time if deemed appropriate by the Professional Standards Sergant or Division Commander. All training and proficiency for TASER devices will be documented in the officer's training file.

Command staff and investigators should receive TASER device training as appropriate for the investigations they conduct and review.

The Professional Standards Sergeant is responsible for ensuring that all members who carry TASER devices have received initial and annual proficiency training.

The Professional Standards Sergeant should ensure that all training includes:

(a) A review of this policy.
(b) A review of the Use of Force Policy.
(c) Performing weak-hand draws or cross-draws to reduce the possibility of accidentally drawing and firing a firearm.
(d) Target area considerations, to include techniques or options to reduce the accidental application of probes near the head, neck, chest and groin.
(e) Handcuffing a subject during the application of the TASER device and transitioning to other force options.
(f) De-escalation techniques.
(g) Restraint techniques that do not impair respiration following the application of the TASER device.
303.10 ACTIONS FOLLOWING DEPLOYMENTS
Officers shall notify a supervisor of all TASER device discharges. Confetti tags should be collected and the expended cartridge, along with both probes and wire, should be submitted into evidence.

The cartridge serial number should be noted and documented on the evidence paperwork. The evidence packaging should be marked "Biohazard" if the probes penetrated the subject’s skin.
Officer-Involved Shooting

304.1 PURPOSE AND SCOPE
The intent of this policy is to establish policy and procedures for the investigation of an incident in which a person is injured as the result of a police shooting and to ensure that such incidents be investigated in a fair and impartial manner.

304.2 INVESTIGATION RESPONSIBILITY
This department conforms to the Contra Costa County Police Chief's Association Protocol for Law Enforcement Involved Fatal Incidents ("the Protocol") for investigating officer-involved shootings. Please see the Protocol document for further information; the current Protocol will supercede any differences in procedures contained in this policy.

304.3 TYPES OF INVESTIGATIONS
Officer-involved shootings involve several separate investigations. The investigations may include:

(a) A criminal investigation of the incident by the agency having jurisdiction where the incident occurred. This department may relinquish its criminal investigation to an outside agency with the approval of the Chief of Police or a Division Commander

(b) A criminal investigation of the involved officer(s) conducted by an outside agency

(c) A civil investigation to determine potential liability conducted by the involved officer's agency

(d) An administrative investigation conducted by the involved officer's agency, to determine if there were any violations of department policy

304.4 JURISDICTION
Jurisdiction is determined by the location of the shooting and the agency employing the involved officer(s). The following scenarios outline the jurisdictional responsibilities for investigating officer-involved shootings:

304.4.1 PLEASANT HILL POLICE DEPARTMENT OFFICER_DEPUTY WITHIN THIS JURISDICTION
The Pleasant Hill Police Department is responsible for the criminal investigation of the suspect's actions, the civil investigation, and the administrative investigation. The criminal investigation of the officer-involved shooting will be conducted by the District Attorney's Office in conjunction with the Pleasant Hill Police Department and/or other agencies; see the Protocol for further information.

304.4.2 ALLIED AGENCY'S OFFICER WITHIN THIS JURISDICTION
The Pleasant Hill Police Department is responsible for the criminal investigation of the suspect's actions. The criminal investigation of the officer-involved shooting will be conducted by the District
Attorney’s Office in conjunction with the Pleasant Hill Police Department and other agencies; see the Protocol for further information. The officer’s employing agency will be responsible for any civil and/or administrative investigation(s).

304.4.3 PLEASANT HILL POLICE DEPARTMENT OFFICER_DEPUTY IN ANOTHER JURISDICTION
The agency where the incident occurred has criminal jurisdiction and is responsible for the criminal investigation of the incident. That agency may relinquish its criminal investigation of the suspect(s) to another agency. The Pleasant Hill Police Department will conduct timely civil and/or administrative investigations.

304.5 THE INVESTIGATION PROCESS
The following procedures are guidelines used in the investigation of an officer-involved shooting.

304.5.1 DUTIES OF INITIAL ON SCENE SUPERVISOR
Upon arrival at the scene of an officer-involved shooting, the first uninvolved supervisor should:

(a) Take all reasonable steps to obtain emergency medical attention for all apparently injured individuals.

(b) Attempt to obtain a brief overview of the situation from any non-shooter officer(s).
   1. In the event that there are no non-shooter officers, the supervisor should attempt to obtain a brief voluntary overview from one shooter officer.

(c) If necessary, the supervisor may administratively order any officer from this department to immediately provide publicsafety information necessary to secure the scene and pursue suspects.
   1. Public safety information shall be limited to such things as outstanding suspect information, number and direction of shots fired, parameters of the incident scene, identity of known witnesses and similar information.

(d) Absent a voluntary statement from any officer(s), the initial on scene supervisor should not attempt to order any officer to provide other than public safety information.

(e) Provide all available information to the Division or on call Commander and Dispatch. If feasible, sensitive information should be communicated over secure networks.

(f) Take command of and secure the incident scene with additional personnel until relieved by a detective supervisor or other assigned personnel.

(g) As soon as practical, shooter officers should respond or be transported (separately, if feasible) to the station for further direction.
   1. Each involved officer should be given an administrative order not to discuss the incident with other involved officers pending further direction from a supervisor.
2. When an officer’s weapon is taken or left at the scene (e.g., evidence), the officer will be provided with a comparable replacement weapon or transported to the station by other officers. The weapon will be provided when it is practical to do so.

304.5.2 WATCH COMMANDER DUTIES
Upon learning of an officer-involved shooting, the Watch Commander shall be responsible for coordinating all aspects of the incident until relieved by the Chief of Police or a Division Commander.

304.5.3 NOTIFICATIONS
The following person(s) shall be notified as soon as practical:

- Chief of Police
- On-call Commander
- Investigations Commander
- District Attorney Protocol Team
- Officer Representative (if requested)

All outside inquiries about the incident shall be directed to the Watch Commander.

304.5.4 MEDIA RELATIONS
A single press release shall be prepared with input and concurrence from the supervisor and agency representative responsible for each phase of the investigation. This release will be available to the Watch Commander, Investigation Division Commander and Press Information Officer in the event of inquiries from the media. The press release will be authored by the Investigations Division Commander or the designee of the Chief of Police.

It will be the policy of this department to not release the identities of involved officers absent their consent or as required by law. Moreover, no involved officer shall be subjected to contact from the media (Government Code § 3303(e)) and no involved officer shall make any comments to the press unless authorized by the Chief of Police or a Division Commander.

Law enforcement officials receiving inquiries regarding incidents occurring in other agency jurisdictions shall refrain from public comment and will direct those inquiries to the agency having jurisdiction and primary responsibility for the investigation.

304.5.5 INVOLVED OFFICERS
Once the involved officer(s) have arrived at the station, the Watch Commander should admonish each officer that the incident shall not be discussed except with authorized personnel or representatives. The following shall be considered for the involved officer:

(a) Any request for department or legal representation will be accommodated, however, no involved officer shall be permitted to meet collectively or in a group with an attorney
Officer-Involved Shooting

or any representative prior to providing a formal interview or report (Government Code § 3303(i)).

(b) Discussions with licensed attorneys will be considered privileged as attorney-client communications.

(c) Discussions with department representatives (e.g., employee association) will be privileged only as to the discussion of non-criminal information however.

(d) A psychotherapist shall be provided by the Department to each involved officer, or any other officer, upon request.

1. Interviews with a licensed psychotherapist will be considered privileged and will not be disclosed except to the extent that the officer is or is not fit for return to duty.

2. An interview or session with a licensed psychotherapist may take place prior to the involved officer providing a formal interview or report, but the involved officers shall not be permitted to consult or meet collectively or in a group with a licensed psychotherapist prior to providing a formal interview or report.

(e) Although the Department will honor the sensitivity of communications with peer counselors, there is no legal privilege to such. Peer counselors are cautioned against discussing the facts of any incident with an involved or witness officer.

Care should be taken to preserve the integrity of any physical evidence present on the officer's equipment or clothing, such as blood or fingerprints, until investigators or lab personnel can properly retrieve it.

Detectives shall make reasonable accommodations to the officer's physical and emotional needs (Government Code § 3303(d)).

Each involved officer shall be given reasonable paid administrative leave following an officer-involved shooting. It shall be the responsibility of the Watch Commander to make schedule adjustments to accommodate such leave.

304.6 THE SHOOTING INCIDENT CRIMINAL INVESTIGATION

304.6.1 DETECTIVE PERSONNEL

Once notified of an officer-involved shooting, it shall be the responsibility of the Investigations Division Commander to assign appropriate detective personnel to handle the investigation of related crimes. Detectives will be assigned to work with investigators from the District Attorney's Office and may be assigned to separately handle the investigation of any related crimes not being investigated by the District Attorney's Office.

All related departmental reports except administrative and/or privileged reports will be forwarded to the designated detective supervisor for approval. Privileged reports shall be maintained
Officer-Involved Shooting

exclusively by those personnel authorized such access. Administrative reports will be forwarded to the appropriate Division Commander.

304.6.2 CRIMINAL INVESTIGATION
It shall be the policy of this department to utilize the District Attorney's Office to conduct an independent criminal investigation into the circumstances of any officer-involved shooting involving injury or death.

If available, detective personnel from this department may be assigned to partner with investigators from the District Attorney's Office so as to not duplicate efforts in related criminal investigations.

Once public safety issues have been addressed, criminal investigators will be given the next opportunity to interview involved officers in order to provide them with an opportunity to give a voluntary statement. The following shall be considered for the involved officer:

(a) Supervisors and Professional Standards Division personnel should not participate directly in any voluntary interview of officers. This will not prohibit such personnel from monitoring such interviews or indirectly providing areas for inquiry.

(b) If requested, any involved officer will be afforded the opportunity to consult individually with a representative of his/her choosing or an attorney, prior to speaking with criminal investigators. However, in order to maintain the integrity of each individual officer's statement, involved officers shall not consult or meet with a representative or attorney collectively or in groups prior to being interviewed.

(c) Any voluntary statement provided by the officer(s) will be made available for inclusion in the administrative or other related investigations.

(d) Absent consent from the involved officer or as required by law, no administratively coerced statement(s) will be provided to any criminal investigators.

304.6.3 REPORTS BY INVOLVED OFFICERS
In the event that suspects remain outstanding or subject to prosecution for related offenses, this department shall retain the authority to require involved officers to provide sufficient information for related criminal reports to facilitate the apprehension and prosecution of those individuals (Government Code § 3304(a)).

While the involved officer may write the report, it is generally recommended that such reports be completed by assigned investigators who should interview involved officers as victims/witnesses. Since the purpose of these reports will be to facilitate criminal prosecution, statements of involved officers should focus on evidence to establish the elements of criminal activities by involved suspects. Care should be taken not to duplicate information provided by involved officers in other reports.

Nothing in this section shall be construed to deprive an involved officer of the right to consult with legal counsel prior to completing any such criminal report.
Reports related to the prosecution of criminal suspects will be processed according to normal procedures, but should also be included for reference in the investigation of the officer-involved shooting.

304.6.4 WITNESS IDENTIFICATION AND INTERVIEWS
Because potential witnesses to an officer-involved shooting or other major incident may become unavailable or the integrity of their statements compromised with the passage of time, a supervisor should take reasonable steps to promptly coordinate with criminal investigators to utilize available personnel for the following:

(a) Identify all persons present at the scene and in the immediate area.
   1. When feasible, a recorded statement should be obtained from those persons who claim not to have witnessed the incident but who were present at the time it occurred.
   2. Any potential witness who is unwilling or unable to remain available for a formal interview should not be detained absent reasonable suspicion to detain or probable cause to arrest. Without detaining the individual for the sole purpose of identification, officers should attempt to identify the witness prior to his/her departure.

(b) Witnesses who are willing to provide a formal interview should be asked to meet at a suitable location where criminal investigators may obtain a recorded statement. Such witnesses, if willing, may be transported by department personnel.
   1. A written, verbal or recorded statement of consent should be obtained prior to transporting a witness in a department vehicle. When the witness is a minor, consent should be obtained from the parent or guardian, if available, prior to transportation.

(c) Assign available personnel to promptly contact the suspect's known family and associates to obtain any available and untainted background information about the suspect's activities and state of mind prior to contact with officers.

304.7 ADMINISTRATIVE INVESTIGATION
In addition to all other investigations associated with an officer-involved shooting, this department will conduct an internal administrative investigation to determine conformance with department policy. This investigation will be conducted under the supervision of the Professional Standards Division and will be considered a confidential peace officer personnel file.

(a) Any officer involved in a shooting may be administratively compelled to provide a blood sample for alcohol/drug screening. Absent consent from the officer, such compelled samples and the results of any such testing shall not be disclosed to any criminal investigative agency.
(b) If any officer has voluntarily elected to provide a statement to criminal investigators, the assigned administrative investigator should review that statement before proceeding with any further interview of that involved officer.

1. If a further interview of the officer is deemed necessary to determine policy compliance, care should be taken to limit the inquiry to new areas with minimal, if any, duplication of questions addressed in the voluntary statement. The involved officer shall be provided with a copy of his or her prior statement before proceeding with any subsequent interview(s) (Government Code § 3303(g)).

(c) In the event that an involved officer has elected to not provide criminal investigators with a voluntary statement, the assigned administrative investigator shall conduct an administrative interview to determine all relevant information.

1. Although this interview should not be unreasonably delayed, care should be taken to ensure that the officer(s) physical and psychological needs have been addressed before commencing the interview.

2. If requested, the officer shall have the opportunity to select an uninvolved representative to be present during the interview (Government Code § 3303(i)). However, in order to maintain the integrity of each individual officer's statement, involved officers shall not consult or meet with a representative or attorney collectively or in groups prior to being interviewed.

3. Administrative interview(s) should be recorded by the investigator (the officer may also record the interview) (Government Code § 3303(g)).

4. The officer shall be informed of all constitutional Miranda rights (Government Code § 3303(h)) and, assuming no voluntary waiver, will then be given an administrative order to provide full and truthful answers to all questions (Government Code § 3303(e)). The officer shall be informed, however, that the interview will be for administrative purposes only and that the statement cannot be used criminally (The Lybarger or Garrity admonishment).

5. The administrative interview shall be considered part of the officer's confidential personnel file.

6. The Professional Standards Division shall compile all relevant information and reports necessary for the Department to determine compliance with applicable policies.

7. The completed administrative investigation shall be submitted to the Use of Deadly Force Review Board, which will restrict its findings as to whether there was compliance with the Department use of deadly force policy.

8. Any other indications of potential policy violations shall be determined in accordance with standard disciplinary procedures.
304.8 AUDIO AND VIDEO RECORDINGS
Any officer involved in an incident may be permitted to review available video or audio recordings prior to providing a recorded statement or completing reports.

Upon request, non-law enforcement witnesses who are able to verify their presence and their ability to contemporaneously perceive events at the scene of an incident may also be permitted to review available video or audio recordings with approval of assigned investigators or a supervisor.

An known video or audio recordings of an incident should not be publicly released during an ongoing investigation without consulting the District Attorney or City Attorney's Office as appropriate.
Firearms

305.1 PURPOSE AND SCOPE
This policy establishes procedures for the acquisition, use, and documentation of training in the use of firearms. The Chief of Police or his or her designee shall approve all Department firearms before they are acquired and utilized by any member of this department.

305.2 POLICY
The Pleasant Hill Police Department will equip its members with firearms to address the risks posed to the public and department members by violent and sometimes well-armed persons. The Department will ensure firearms are appropriate and in good working order and that relevant training is provided as resources allow.

305.3 AUTHORIZED WEAPONS
No firearms will be carried that have not been thoroughly inspected by the Armorer at a regularly scheduled date. Except in an emergency or as directed by a supervisor, no firearm shall be carried by a member who has not qualified with that weapon at an authorized department range.

All other weapons, including but not limited to, edged weapons, chemical or electronic weapons, impact weapons or any weapon prohibited or restricted by law or that is not covered elsewhere by department policy, may not be carried by personnel in the performance of their official duty without the express written authorization of the Chief of Police or designee. This exclusion does not apply to the carrying of a single folding pocketknife that is not otherwise prohibited by law.

305.3.1 DUTY FIREARMS
The authorized Department issued primary duty firearms are the Sig Sauer 40 caliber semi automatic handgun models P226, P226R, P229, P229R, P239, or P239R.

The following additional handguns are approved for on-duty primary firearm use: semi-automatic Smith & Wesson, Colt, Beretta, Sig Sauer, Glock, H&K brands with at least the first shot double action in .40 caliber or 9 mm caliber.

Officers may elect to carry one of the other above authorized firearms other than the Sig Sauer P226 or P226R, P229 or P229R, P239 or P239R. Officers electing to decline issuance of the Sig Sauer firearm will purchase their own holster and magazine pouches unless the officer is newly hired.

Officers electing to carry a firearm other than a Department issued firearm may be required to have the firearm inspected by a gunsmith or other vendor at the officer’s expense if the armorer’s haven’t been trained for work on that make or model of firearm.

Sworn personnel may also carry Department-issued rifles and shotguns as necessary. Rifles and shotguns may be equipped with Department issued lighting or optics.
305.3.2 PERSONALLY OWNED DUTY WEAPONS
Members desiring to carry an authorized but personally owned duty firearm must receive written approval from the Chief of Police or the authorized designee. Once approved, personally owned duty firearms are subject to the following restrictions:

(a) The firearm shall be in good working order and on the department list of approved firearms.

(b) The firearm shall be inspected by the Rangemaster prior to being carried and thereafter shall be subject to inspection whenever it is deemed necessary.

(c) Prior to carrying the firearm, members shall qualify under range supervision and thereafter shall qualify in accordance with the department qualification schedule. Members must demonstrate proficiency and safe handling, and that the firearm functions properly.

(d) Members shall provide written notice of the make, model, color, serial number and caliber of the firearm to the Rangemaster, who will maintain a list of the information.

305.3.3 AUTHORIZED SECONDARY FIREARM
Officers desiring to carry a secondary firearm are subject to the following restrictions:

(a) The firearm shall be in good working order and on the department's list of approved firearms, see Duty Firearms (312.3.1) or other manufacturer approved by the Chief of Police. All secondary weapons regardless of manufacturer or caliber will be approved by the Chief of Police or his/her designee.

(b) Only one secondary firearm may be carried at a time.

(c) The purchase of the firearm and ammunition shall be the responsibility of the officer.

(d) The firearm shall be carried out of sight at all times and in such a manner as to prevent accidental cocking, discharge or loss of physical control.

(e) The firearm shall be inspected by the Armorer prior to being carried and thereafter shall be subject to inspection whenever deemed necessary.

(f) Ammunition shall be the same as department issue. If the caliber of the firearm is other than department issue, the Chief of Police shall approve the ammunition.

(g) Prior to carrying the secondary firearm, personnel shall qualify under range supervision and thereafter shall qualify in accordance with the department qualification schedule. Officers must demonstrate proficiency and safe handling, and that the firearm functions properly.

(h) Personnel shall provide written notice of the make, model, color, serial number, and caliber of a second firearm to the Armorer.

(i) Revolvers are authorized as secondary firearms.
305.3.4 AUTHORIZED OFF-DUTY FIREARMS
The carrying of firearms by sworn officers while off duty is permitted by the Chief of Police, but may be rescinded should circumstances dictate (e.g., administrative leave). Sworn officers who choose to carry a firearm while off-duty, based on their authority as a peace officer, will be required to meet the following guidelines:

(a) The handgun shall be in good working order and on the department's list of approved firearms, see Duty Weapons, or other manufacturer approved by the Chief of Police. The purchase of the firearm and ammunition shall be the responsibility of the officer.

(b) The firearm shall be carried in such a manner as to prevent accidental cocking, discharge, or loss of physical control.

(c) The officer will successfully qualify with the firearm prior to it being carried and thereafter once annually.

(d) A description of the firearm shall be contained on the qualification record approved by the Firearms Instructor.

(e) If any member desires to use more than one firearm while off-duty, he/she may do so, as long as the officer meets all the requirements set forth in this policy for each firearm used.

(f) Officers shall only carry department-authorized ammunition.

(g) When armed, whether on- or off-duty, officers shall carry their badge and department identification.

(h) The above provisions regarding off duty firearms apply to handguns carried by officers in accordance with their status and scope of authority as peace officers; these provisions do not apply to handguns owned or carried by officers in recreational activities like hunting, specialized target shooting, etc.,

(i) Officers may also carry their duty weapon as an authorized off duty firearm; the provisions of sections (b), (f), (g) and (h), above, will apply to off duty carry of duty weapons.

305.3.5 PATROL RIFLES
The authorized department-issued patrol rifles are the Colt M4/M16 A2E and the Bushmaster XM15-E26.

When not deployed, rifles shall be properly secured consistent with department training in a locking weapons rack in the department vehicle.

305.3.6 SHOTGUNS
The authorized department-issued shotgun is the Remington 870 12 gauge.

When not deployed, the shotgun shall be properly secured consistent with department training in a locking weapons rack in the department vehicle.
305.3.7 AMMUNITION
Officers shall carry only department issued ammunition in primary duty weapons. Officers shall carry only Department authorized ammunition in secondary duty weapons.

305.3.8 LASER SIGHTS
Laser sights may only be installed on a weapon carried on or off-duty after they have been examined and approved by the Armorer.

(a) Any approved laser sight shall only be installed in accordance with manufacturer specifications.

(b) Once approved laser sights have been properly installed on any weapon, the officer shall qualify with the weapon to ensure proper functionality and sighting of the weapon prior to carrying it.

Except in an approved training situation, an officer may only activate a laser sight when the officer would otherwise be justified in pointing a weapon at an individual or other authorized target.

305.3.9 SUPPLEMENTAL LIGHTING FOR HANDGUNS AND LONG WEAPONS
Officers may equip a Department owned or personally owned handgun with an attached or integrated light (IFLS). Department owned rifles or shotguns may also be equipped with Department issued lights.

(a) The officer must receive training in the use of the IFLS for the handgun before using it on routine patrol. IFLS training will be implemented during low-light shooting training. The Department will also provide training on the use of lighting equipment with Department issued rifles and shotguns.

(b) The officer must qualify with his/her duty weapon (handgun) using the IFLS prior to utilizing it on patrol and annually at the department’s low-light shooting qualification. If the officer does not obtain a qualifying score using the IFLS, he/she will be prohibited from utilizing it on patrol until they can meet the minimum qualifications.

(c) The IFLS is intended to be used to assist the officer in the search, threat assessment, and target acquisition of a potentially dangerous person. The officer should not use direct lighting techniques on an individual who does not meet this criteria.

(d) The IFLS is not a replacement for the flashlight.

(e) An officer may permanently attach the IFLS to his/her handgun. The purchase of a duty approved holster to accomodate the IFLS is the responsibility of the officer. Holsters will comply with section 1046.83 of this Manual. Any holster which accomodates the IFLS must meet a minimum of a threat level II security rating. The IFLS for handguns is not Department issued and the use of the IFLS is optional. Officers choosing to purchase an IFLS can carry the light on their duty belt or permanently attached to the weapon. Officers will obtain a carrier or holster for the IFLS which matches the type of gear you possess.
(f) The following integrated firearms light systems are approved for use: Streamlight brand M3 LED and Surefire brand X200A and other substantially similar brands and models of IFLS.

305.3.10 HOLSTERS
Only department-approved holsters shall be used and worn by members. Members shall periodically inspect their holsters to make sure they are serviceable and provide the proper security and retention of the handgun.

305.4 SAFE HANDLING OF FIREARMS
The intent of this policy is to promote proper firearm safety on and off duty. Employees shall maintain the highest level of safety when handling firearms and shall consider the following:

305.4.1 SAFETY CONSIDERATIONS

(a) Officers shall not unnecessarily display or handle any firearm.

(b) Officers shall be governed by all rules and regulations pertaining to the use of the range and shall obey all orders issued by the Rangemaster or Firearms Instructors. Officers shall not dry fire or practice quick draws except under Rangemaster or Firearms Instructor supervision.

(c) Officers shall not clean, repair, load or unload a firearm anywhere in the Department, except where clearing barrels are present.

(d) Shotguns or rifles removed from vehicles or the equipment storage room shall be loaded and unloaded in the parking lot and outside of the vehicle.

(e) Officers shall not place or store any firearm or other weapon on Department premises except where the place of storage is locked. No one shall carry firearms into the jail section or any part thereof when securing or processing a prisoner, but shall place all firearms in a secured location. It shall be the responsibility of the releasing officer to make sure that persons from outside agencies do not enter the jail section with any firearm.

(f) Officers shall not use any automatic weapon, heavy caliber rifle, gas or other type of chemical weapon from the armory, except with approval of a supervisor. This provision doesn't apply to personnel engaged in Department authorized training.

(g) Any weapon authorized by the department to be carried on- or off-duty, that is found by the officer to be malfunctioning or needing service, shall not be carried. It shall be promptly presented to the department or Armorer for inspection. Any weapon determined to be in need of service or repair during an inspection by the department Armorer, will be immediately removed from service. If the weapon is the officer's primary duty weapon, a replacement weapon will be issued to the officer until the duty weapon is serviceable.
305.4.2 STORAGE OF FIREARMS AT HOME
Officers shall ensure that all firearms and ammunition are locked and secured while in their homes, vehicles or any other area under their control in a manner that will keep them inaccessible to children and irresponsible adults.

Officers shall be aware that negligent storage of a firearm could result in criminal prosecution under Penal Code § 25100.

305.4.3 STORAGE IN VEHICLES
When leaving a handgun in an unattended vehicle, members shall ensure that it is locked in the trunk, or in a locked container which is placed out of view, or in a locked container that is affixed to the vehicle’s interior and not in plain view (Penal Code § 16850; Penal Code § 25140; Penal Code § 25452).

305.4.4 ALCOHOL AND DRUGS
Weapons shall not be carried by any officer who has consumed an amount of an alcoholic beverage or taken any drug that would tend to adversely affect the officer’s senses or judgment.

305.5 FIREARMS QUALIFICATIONS
All sworn personnel below the rank of Division Commander are required to qualify once per shift period (three times annually) with their duty weapon on an approved range course. Command Staff personnel (Chief, Captain, and Division Commanders) are required to qualify once annually. The Rangemaster or lead Firearms Instructor shall keep accurate records of quarterly qualifications, repairs, maintenance, training or as directed by the Professional Standards Sergeant. In addition to regular qualification schedules, the Professional Standards Sergeant shall be responsible for providing all sworn personnel with annual practical training designed to simulate field situations.

305.5.1 NON QUALIFICATION
If any officer is unable to qualify for any reason, including injury, illness, duty status, or scheduling conflict, that officer shall submit a memorandum to his or her immediate supervisor prior to the end of the required shooting period.

Members who repeatedly fail to qualify will be relieved from field assignment and appropriate disciplinary action may follow.

Sworn members who fail to qualify on their first shooting attempt shall be provided remedial training until proficiency is demonstrated and will be subject to the following requirements:

(a) Additional range assignments may be required until consistent weapon proficiency is demonstrated

(b) Members shall be given credit for a range qualification after remedial training and a qualifying score is obtained

(c) No range credit will be given for the following

1. Unauthorized range make-up
2. Failure to qualify after remedial training

305.6 REPORT OF FIREARM DISCHARGE
Except during training or recreational use, any member who discharges a firearm intentionally or unintentionally, on- or off-duty, shall make a verbal report to his/her supervisor as soon as circumstances permit. If the discharge results in injury or death to another person, additional statements and reports shall be made in accordance with the Officer-Involved Shooting Policy. If a firearm was discharged as a use of force, the involved member shall adhere to the additional reporting requirements set forth in the Use of Force Policy.

In all other cases, written reports shall be made as follows:

(a) If on-duty at the time of the incident, the member shall file a written report with his/her Division Commander or provide a recorded statement to investigators prior to the end of shift, unless otherwise directed.

(b) If off-duty at the time of the incident, a written report shall be submitted or recorded statement provided no later than the end of the next regularly scheduled shift, unless otherwise directed by a supervisor.

305.7 ARMORER DUTIES
The range will be under the exclusive control of the Rangemaster or Firearms Instructors. All members attending will follow the directions of the Rangemaster or Firearms Instructors. The Rangemaster or Firearms Instructors will maintain a roster of all members attending the range and will submit the roster to the Professional Standards Sergeant after each range date.

The Armorer has the responsibility of making periodic inspection, at least once a year, of all duty weapons carried by officers of this department to verify proper operation. The Armorer has the authority to deem any privately owned weapon unfit for service. The officer will be responsible for all repairs to his or her personal weapon and it will not be returned to service until inspected by the Armorer.

305.7.1 MAINTENANCE AND REPAIR
Firearms carried on duty shall be maintained in a clean, serviceable condition. Since the use of personally owned weapons is at the option of the individual officer, that officer will be responsible for the furnishing, maintenance and repair of such weapon.

305.7.2 REPAIR OR MODIFICATIONS OF DUTY WEAPONS
The Armorer shall be the only person authorized to repair or modify any department-owned weapon. All repairs and/or modifications of department issued weapons not performed by the Armorer must be approved in advance by the Armorer and accomplished by a department approved gunsmith.

Any repairs or modifications to the officer’s personally owned weapon shall be done at his or her expense and must be approved by the Armorer.
305.8 FLYING WHILE ARMED
The Transportation Security Administration (TSA) has imposed rules governing law enforcement officers flying armed on commercial aircraft. The following requirements apply to officers who intend to be armed while flying on a commercial air carrier or flights where screening is conducted (49 CFR 1544.219):

(a) Officers wishing to fly while armed must be flying in an official capacity, not for vacation or pleasure, and must have a need to have the firearm accessible, as determined by the Department based on the law and published TSA rules.

(b) Officers must carry their Pleasant Hill Police Department identification card, bearing the officer’s name, a full-face photograph, identification number, the officer’s signature and the signature of the Chief of Police or the official seal of the Department and must present this identification to airline officials when requested. The officer should also carry the standard photo identification needed for passenger screening by airline and TSA officials (e.g., driver license, passport).

(c) The Pleasant Hill Police Department must submit a National Law Enforcement Telecommunications System (NLETS) message prior to the officer’s travel. If approved, TSA will send the Pleasant Hill Police Department an NLETS message containing a unique alphanumeric identifier. The officer must present the message on the day of travel to airport personnel as authorization to travel while armed.

(d) An official letter signed by the Chief of Police authorizing armed travel may also accompany the officer. The letter should outline the officer’s need to fly armed, detail his/her itinerary, and include that the officer has completed the mandatory TSA training for a law enforcement officer flying while armed.

(e) Officers must have completed the mandated TSA security training covering officers flying while armed. The training shall be given by the department-appointed instructor.

(f) It is the officer’s responsibility to notify the air carrier in advance of the intended armed travel. This notification should be accomplished by early check-in at the carrier’s check-in counter.

(g) Any officer flying while armed should discreetly contact the flight crew prior to take-off and notify them of his/her assigned seat.

(h) Discretion must be used to avoid alarming passengers or crew by displaying a firearm. The officer must keep the firearm concealed on his/her person at all times. Firearms are not permitted in carry-on luggage and may not be stored in an overhead compartment.

(i) Officers should try to resolve any problems associated with flying armed through the flight captain, ground security manager, TSA representative or other management representative of the air carrier.

(j) Officers shall not consume alcoholic beverages while aboard an aircraft, or within eight hours prior to boarding an aircraft.
305.9 CARRYING FIREARMS OUT OF STATE
Qualified, active, full-time officers of this department are authorized to carry a concealed firearm in all other states subject to the following conditions (18 USC § 926B):

(a) The officer shall carry his/her Pleasant Hill Police Department identification card whenever carrying such firearm.

(b) The officer is not the subject of any current disciplinary action.

(c) The officer may not be under the influence of alcohol or any other intoxicating or hallucinatory drug.

(d) The officer will remain subject to this and all other department policies (including qualifying and training).

Officers are cautioned that individual states may enact local regulations that permit private persons or entities to prohibit or restrict the possession of concealed firearms on their property, or that prohibit or restrict the possession of firearms on any state or local government property, installation, building, base or park. Federal authority may not shield an officer from arrest and prosecution in such locally restricted areas.

Active law enforcement officers from other states are subject to all requirements set forth in 18 USC § 926B.
Vehicle Pursuits

306.1 PURPOSE AND SCOPE
Vehicle pursuits expose innocent citizens, law enforcement officers and fleeing violators to the risk of serious injury or death. The primary purpose of this policy is to provide officers with guidance in balancing the safety of the public and themselves against law enforcement’s duty to apprehend violators of the law. Another purpose of this policy is to reduce the potential for pursuit-related collisions. Vehicular pursuits require officers to exhibit a high degree of common sense and sound judgment. Officers must not forget that the immediate apprehension of a suspect is generally not more important than the safety of the public and pursuing officers.

Deciding whether to pursue a motor vehicle is a critical decision that must be made quickly and under difficult and unpredictable circumstances. In recognizing the potential risk to public safety created by vehicular pursuits, no officer or supervisor shall be criticized or disciplined for deciding not to engage in a vehicular pursuit because of the risk involved. This includes circumstances where department policy would permit the initiation or continuation of the pursuit. It is recognized that vehicular pursuits are not always predictable and decisions made pursuant to this policy will be evaluated according to the totality of the circumstances reasonably available at the time of the pursuit.

Officers must remember that the most important factors to the successful conclusion of a pursuit are proper self-discipline and sound professional judgment. Officer’s conduct during the course of a pursuit must be objectively reasonable; that is, what a reasonable officer would do under the circumstances. An unreasonable individual’s desire to apprehend a fleeing suspect at all costs has no place in professional law enforcement.

306.1.1 VEHICLE PURSUIT DEFINED
A vehicle pursuit is an event involving one or more law enforcement officers attempting to apprehend a suspect, who is attempting to avoid arrest while operating a motor vehicle by using high-speed driving or other evasive tactics, such as driving off a highway, turning suddenly, or driving in a legal manner but willfully failing to yield to an officer’s signal to stop.

306.2 OFFICER RESPONSIBILITIES
It shall be the policy of this department that a vehicle pursuit shall be conducted only with red light and siren as required by Vehicle Code § 21055 for exemption from compliance with the rules of the road. The following policy is established to provide officers with guidelines for driving with due regard and caution for the safety of all persons using the highway as required by Vehicle Code § 21056.

306.2.1 WHEN TO INITIATE A PURSUIT
Officers are authorized to initiate a pursuit when it is reasonable to believe that a suspect is attempting to evade arrest or detention by fleeing in a vehicle.
The following factors individually and collectively shall be considered in deciding whether to initiate a pursuit:

(a) Seriousness of the known or reasonably suspected crime and its relationship to community safety.
(b) The importance of protecting the public and balancing the known or reasonably suspected offense and the apparent need for immediate capture against the risks to officers, innocent motorists and others.
(c) Apparent nature of the fleeing suspects (e.g., whether the suspects represent a serious threat to public safety).
(d) The identity of the suspects has been verified and there is comparatively minimal risk in allowing the suspects to be apprehended at a later time.
(e) Safety of the public in the area of the pursuit, including the type of area, time of day, the amount of vehicular and pedestrian traffic and the speed of the pursuit relative to these factors.
(f) Pursuing officers familiarity with the area of the pursuit, the quality of radio communications between the pursuing units and the dispatcher/supervisor and the driving capabilities of the pursuing officers under the conditions of the pursuit.
(g) Weather, traffic and road conditions that substantially increase the danger of the pursuit beyond the worth of apprehending the suspect.
(h) Performance capabilities of the vehicles used in the pursuit in relation to the speeds and other conditions of the pursuit.
(i) Vehicle speeds.
(j) Other persons in or on the pursued vehicle (e.g., passengers, co-offenders and hostages).
(k) Availability of other resources such as helicopter assistance.
(l) The police unit is carrying passengers other than police officers. Pursuits should not be undertaken with a prisoner in the police vehicle.

306.2.2 WHEN TO TERMINATE A PURSUIT
Pursuits should be discontinued whenever the totality of objective circumstances known or which reasonably ought to be known to the officer or supervisor during the pursuit indicates that the present risks of continuing the pursuit reasonably appear to outweigh the risks resulting from the suspect(s)’ escape.

The factors listed in Policy Manual § 306.2.1 are expressly included herein and will apply equally to the decision to discontinue as well as the decision to initiate a pursuit. Officers and supervisors must objectively and continuously weigh the seriousness of the offense against the potential danger to innocent motorists and themselves when electing to continue a pursuit. In the context
Vehicle Pursuits

of this policy, the term "terminate" shall be construed to mean discontinue or to stop chasing the fleeing vehicle(s).

In addition to the factors listed in Policy Manual § 306.2.1 the following factors should also be considered in deciding whether to terminate a pursuit:

(a) Distance between the pursuing officers and the fleeing vehicle(s) is so great that further pursuit would be futile or require the pursuit to continue for an unreasonable time and/or distance

(b) Pursued vehicle's location is no longer definitely known

(c) Officer's pursuit vehicle sustains any type of damage that renders it unsafe to drive

(d) Extended pursuits of violators for misdemeanors not involving violence or risk of serious harm (independent of the pursuit) are discouraged

(e) Hazards to uninvolved bystanders or motorists

(f) If the identity of the offender is known and it does not reasonably appear that the need for immediate capture outweighs the risks associated with continuing the pursuit, officers should strongly consider discontinuing the pursuit and apprehending the offender at a later time.

(g) Directed by a supervisor

306.2.3 SPEED LIMITS

The speed of a pursuit is a factor that should be evaluated on a continuing basis by the officer and supervisor. Evaluation of vehicle speeds shall take into consideration public safety, officer safety and the safety of the occupants of the fleeing vehicle.

Should high vehicle speeds be reached during a pursuit, officers and supervisors shall also consider these factors when determining the reasonableness of the speed of the pursuit:

(a) Pursuit speeds have become unreasonably unsafe for the surrounding conditions.

(b) Pursuit speeds have exceeded the driving ability of the officer.

(c) Pursuit speeds are beyond the capabilities of the pursuit vehicle thus making its operation unsafe.

306.3 PURSUIT UNITS

Pursuit units should be limited to three vehicles (two units and a supervisor); however, the number of units involved will vary with the circumstances. An officer or supervisor may request additional units to join a pursuit if, after assessing the factors outlined above, it appears that the number of officers involved would be insufficient to safely arrest the suspects. All other officers should stay out of the pursuit, but should remain alert to its progress and location. Any officer who drops out
Vehicle Pursuits

of a pursuit may then, if necessary, proceed to the termination point at legal speeds, following the appropriate rules of the road.

306.3.1 MOTORCYCLE OFFICERS
A distinctively marked patrol vehicle equipped with emergency overhead lighting should replace a police motorcycle as primary and/or secondary pursuit unit as soon as practical.

306.3.2 VEHICLES WITHOUT EMERGENCY EQUIPMENT
Vehicles not equipped with red light and siren are generally prohibited from initiating or joining in any pursuit. Officers in such vehicles, however, may become involved in emergency activities involving serious crimes or life threatening situations. Those officers should terminate their involvement in any pursuit immediately upon arrival of a sufficient number of emergency police vehicles or any police helicopter. The exemptions provided by Vehicle Code § 21055 do not apply to officers using vehicles without emergency equipment.

306.3.3 PRIMARY UNIT RESPONSIBILITIES
The initial pursuing unit will be designated as the primary pursuit unit and will be responsible for the conduct of the pursuit unless it is unable to remain reasonably close enough to the violator’s vehicle. The primary responsibility of the officer initiating the pursuit is the apprehension of the suspects without unreasonable danger to him/herself or other persons.

Notify Dispatch that a vehicle pursuit has been initiated and as soon as practicable provide information including, but not limited to:

(a) Reason for the pursuit.
(b) Location and direction of travel.
(c) Speed of the fleeing vehicle.
(d) Description of the fleeing vehicle and license number, if known.
(e) Number of known occupants.
(f) The identity or description of the known occupants.
(g) Information concerning the use of firearms, threat of force, injuries, hostages or other unusual hazards.

Unless relieved by a supervisor or secondary unit, the officer in the primary unit shall be responsible for the broadcasting of the progress of the pursuit. Unless practical circumstances indicate otherwise, and in order to concentrate on pursuit driving, the primary officer should relinquish the responsibility of broadcasting the progress of the pursuit to a secondary unit or aircraft joining the pursuit.

306.3.4 SECONDARY UNITS RESPONSIBILITIES
The second officer in the pursuit is responsible for the following:
Vehicle Pursuits

(a) The officer in the secondary unit should immediately notify the dispatcher of entry into the pursuit.

(b) Remain a safe distance behind the primary unit unless directed to assume the role of primary officer, or if the primary unit is unable to continue the pursuit.

(c) The secondary officer should be responsible for broadcasting the progress of the pursuit unless the situation indicates otherwise.

306.3.5 PURSUIT DRIVING TACTICS
The decision to use specific driving tactics requires the same assessment of considerations outlined in the factors to be considered concerning pursuit initiation and termination. The following are tactics for units involved in the pursuit:

(a) Officers, considering their driving skills and vehicle performance capabilities, will space themselves from other involved vehicles such that they are able to see and avoid hazards or react safely to maneuvers by the fleeing vehicle.

(b) Because intersections can present increased risks, the following tactics should be considered:
   1. Available units not directly involved in the pursuit may proceed safely to controlled intersections ahead of the pursuit in an effort to warn cross traffic.
   2. Pursuing units should exercise due caution when proceeding through controlled intersections.

(c) As a general rule, officers should not pursue a vehicle driving left of center (wrong way) on a freeway. In the event that the pursued vehicle does so, the following tactics should be considered:
   1. Requesting assistance from an air unit.
   2. Maintaining visual contact with the pursued vehicle by paralleling it on the correct side of the roadway.
   3. Requesting other units to observe exits available to the suspects.

(d) Notifying the California Highway Patrol (CHP) and/or other jurisdictional agency if it appears that the pursuit may enter their jurisdiction.

(e) Officers involved in a pursuit should not attempt to pass other units unless the situation indicates otherwise or they are requested to do so by the primary unit.

306.3.6 TACTICS/PROCEDURES FOR UNITS NOT INVOLVED IN THE PURSUIT
There should be no paralleling of the pursuit route. Officers are authorized to use emergency equipment at intersections along the pursuit path to clear intersections of vehicular and pedestrian traffic to protect the public. Officers should remain in their assigned area and should not become involved with the pursuit unless directed otherwise by a supervisor.
Vehicle Pursuits

Non-pursuing personnel needed at the termination of the pursuit should respond in a non-emergency manner, observing the rules of the road.

The primary and secondary units should be the only units operating under emergency conditions (red light and siren) unless other units are assigned to the pursuit.

Officers that have terminated a pursuit will resume normal vehicle operations. Officers will not continue to follow the pursued vehicle without emergency equipment activated.

306.3.7 PURSUIT TRAILING
In the event the initiating unit from this agency either relinquishes control of the pursuit to another unit or jurisdiction, that initiating unit may, with permission of a supervisor, trail the pursuit to the termination point in order to provide necessary information and assistance for the arrest of the suspects.

The term trail means to follow the path of the pursuit at a safe speed while obeying all traffic laws and without activating emergency equipment. If the pursuit is at a slow rate of speed, the trailing unit will maintain sufficient distance from the pursuit units so as to clearly indicate an absence of participation in the pursuit.

306.3.8 AIRCRAFT ASSISTANCE
When available, aircraft assistance should be requested. Once the air unit has established visual contact with the pursued vehicle, it should assume control over the pursuit. The primary and secondary ground units should consider the participation of aircraft assistance when determining whether to continue the pursuit.

The air unit should coordinate the activities of resources on the ground, report progress of the pursuit and provide officers and supervisors with details of upcoming traffic congestion, road hazards, or other pertinent information to evaluate whether or not to continue the pursuit. If ground units are not within visual contact and the air unit determines that it is unsafe to continue the pursuit, the air unit has the authority to terminate the pursuit.

306.4 SUPERVISORY CONTROL AND RESPONSIBILITY
It is the policy of this department that available supervisory and management control will be exercised over all motor vehicle pursuits involving officers from this department.

The Watch Commander of the officer initiating the pursuit, or if unavailable, the nearest field supervisor will be responsible for the following:

(a) Upon becoming aware of a pursuit, acknowledge over the police radio, immediately ascertaining all reasonably available information to continuously assess the situation and risk factors associated with the pursuit in order to ensure that the pursuit is conducted within established department guidelines.
(b) Engaging in the pursuit, when appropriate, to provide on-scene supervision.
(c) Exercising management and control of the pursuit even if not engaged in it.
Vehicle Pursuits

Vehicle Pursuits

(d) Ensuring that no more than the number of required police units needed are involved in the pursuit under the guidelines set forth in this policy.

(e) Directing that the pursuit be terminated if, in his/her judgment, it is unjustified to continue the pursuit under the guidelines of this policy.

(f) Ensuring that aircraft are requested if available.

(g) Ensuring that the proper radio channel is being used.

(h) Ensuring the notification and/or coordination of outside agencies if the pursuit either leaves or is likely to leave the jurisdiction of this agency.

(i) Control and manage PHPD units when a pursuit enters another jurisdiction.

(j) Preparing post-pursuit critique and analysis of the pursuit for training purposes.

306.4.1 WATCH COMMANDER RESPONSIBILITY
Upon becoming aware that a pursuit has been initiated, the Watch Commander should monitor and continually assess the situation and ensure the pursuit is conducted within the guidelines and requirements of this policy. The Watch Commander has the final responsibility for the coordination, control and termination of a vehicle pursuit and shall be in overall command.

The Watch Commander shall review all pertinent reports for content and forward to the Division Commander.

306.5 COMMUNICATIONS
If the pursuit is confined within the City limits, radio communications will be conducted on the primary channel unless instructed otherwise by a supervisor or communications dispatcher. If the pursuit leaves the jurisdiction of this department or such is imminent, involved units should, whenever available, switch radio communications to an emergency channel most accessible by participating agencies and units.

306.5.1 COMMUNICATION CENTER RESPONSIBILITIES
Upon notification that a pursuit has been initiated, Dispatch will:

(a) Coordinate pursuit communications of the involved units and personnel.

(b) Notify and coordinate with other involved or affected agencies as practicable.

(c) Ensure that a field supervisor is notified of the pursuit.

(d) Assign an incident number and log all pursuit activities.

(e) Broadcast pursuit updates as well as other pertinent information as necessary.

(f) Notify the Watch Commander as soon as practicable.

306.5.2 LOSS OF PURSUED VEHICLE
When the pursued vehicle is lost, the primary unit should broadcast pertinent information to assist other units in locating suspects. The primary unit will be responsible for coordinating any further search for either the pursued vehicle or suspects fleeing on foot.
306.6 INTER-JURISDICTIONAL CONSIDERATIONS
When a pursuit enters another agency's jurisdiction, the primary officer or supervisor, taking into consideration distance traveled, unfamiliarity with the area and other pertinent facts, should determine whether to request the other agency to assume the pursuit. Unless entry into another jurisdiction is expected to be brief, it is generally recommended that the primary officer or supervisor ensure that notification is provided to each outside jurisdiction into which the pursuit is reasonably expected to enter, regardless of whether such jurisdiction is expected to assist.

306.6.1 ASSUMPTION OF PURSUIT BY ANOTHER AGENCY
Units originally involved will discontinue the pursuit when advised that another agency has assumed the pursuit and assistance of the Pleasant Hill Police Department is no longer needed. Upon discontinuing the pursuit, the primary unit may proceed upon request, with or at the direction of a supervisor, to the termination point to assist in the investigation.

The role and responsibilities of officers at the termination of a pursuit initiated by this department shall be coordinated with appropriate consideration of the units from the agency assuming the pursuit.

Notification of a pursuit in progress should not be construed as a request to join the pursuit. Requests to or from another agency to assume a pursuit should be specific. Because of communication limitations between local agencies and CHP units, a request for CHP assistance will mean that they will assume responsibilities for the pursuit. For the same reasons, when a pursuit leaves the freeway and a request for assistance is made to this department, the CHP should relinquish control.

306.6.2 PURSUITS EXTENDING INTO THIS JURISDICTION
The agency that initiates a pursuit shall be responsible for conducting the pursuit. Units from this department should not join a pursuit unless specifically requested to do so by the agency whose officers are in pursuit. The exception to this is when a single unit from the initiating agency is in pursuit. Under this circumstance, a unit from this department may join the pursuit until sufficient units from the initiating agency join the pursuit.

When a request is made for this department to assist or take over a pursuit from another agency that has entered this jurisdiction, the supervisor should consider these additional following factors:

(a) Ability to maintain the pursuit
(b) Adequacy of circumstances serious enough to continue the pursuit
(c) Adequate staffing to continue the pursuit
(d) Safety of the pursuing officers
Vehicle Pursuits

As soon as practicable, a supervisor or the Watch Commander should consider a request for assistance from another agency. The Watch Commander or supervisor, after consideration of the above factors, may decline to assist in, or assume the other agency’s pursuit.

Assistance to a pursuing allied agency by officers of this department will terminate at the City limits provided that the pursuing officers have sufficient assistance from other sources. Ongoing participation from this department may continue only until sufficient assistance is present.

In the event that a pursuit from another agency terminates within this jurisdiction, officers shall provide appropriate assistance to officers from the allied agency including, but not limited to, scene control, coordination and completion of supplemental reports and any other assistance requested or needed.

306.7 PURSUIT INTERVENTION
Pursuit intervention is an attempt to terminate the ability of a suspect to continue to flee in a motor vehicle through tactical application of technology, road spikes, blocking, boxing, PIT (Pursuit Intervention Technique), ramming or roadblock procedures. In this context, ramming shall be construed to mean maneuvering the police unit into contact with the pursued vehicle to mechanically disable or forcibly position it such that further flight is not possible or practicable.

306.7.1 WHEN USE IS AUTHORIZED
Use of pursuit intervention tactics should be employed only after approval of a supervisor. In deciding whether to use intervention tactics, officers/supervisors should balance the risks of allowing the pursuit to continue with the potential hazards arising from the use of each tactic to the public, the officers and persons in or on the pursued vehicle. With these risks in mind, the decision to use any intervention tactic should be reasonable in light of the circumstances confronting the officer at the time of the decision.

It is imperative that officers act within the bounds of legality, good judgment and accepted practices.

306.7.2 DEFINITIONS
Blocking or vehicle intercept - A slow-speed coordinated maneuver where two or more patrol vehicles simultaneously intercept and block the movement of a suspect vehicle, the driver of which may be unaware of the impending enforcement stop, with the goal of containment and preventing a pursuit. Blocking is not a moving or stationary road block.

Boxing-in - A tactic designed to stop a violator’s vehicle by surrounding it with law enforcement vehicles and then slowing all vehicles to a stop.

Pursuit Intervention Technique (PIT) - A low-speed maneuver designed to cause the suspect vehicle to spin out and terminate the pursuit.

Ramming - The deliberate act of impacting a violator’s vehicle with another vehicle to functionally damage or otherwise force the violator’s vehicle to stop.
Vehicle Pursuits

Roadblocks - A tactic designed to stop a violator’s vehicle by intentionally placing an emergency vehicle or other immovable object in the path of the violator’s vehicle.

Spikes or tack strips - A device that extends across the roadway designed to puncture the tires of the pursued vehicle.

306.7.3 USE OF FIREARMS
The use of firearms to disable a pursued vehicle is not generally an effective tactic and involves all the dangers associated with discharging firearms. Officers should not utilize firearms during an ongoing pursuit unless the conditions and circumstances dictate that such use reasonably appears necessary to protect life. Nothing in this section shall be construed to prohibit any officer from using a firearm to stop a suspect from using a vehicle as a deadly weapon.

306.7.4 INTERVENTION STANDARDS
Any pursuit intervention tactic, depending upon the conditions and circumstances under which it is used, may present dangers to the officers, the public or anyone in or on the vehicle being pursued. Certain applications of intervention tactics may be construed to be a use of deadly force and subject to the requirements for such use. Officers shall consider these facts and requirements prior to deciding how, when, where and if an intervention tactic should be employed.

(a) Blocking or vehicle intercept should only be considered in cases involving felony suspects or impaired drivers who pose a threat to public safety when officers reasonably believe that attempting a conventional enforcement stop will likely result in the driver attempting to flee in the vehicle. Because of the potential risks involved, this technique should only be employed by officers who have received training in such tactics after giving consideration to the following:

1. The need to immediately stop the suspect vehicle or prevent it from leaving substantially outweighs the risks of injury or death to occupants of the suspect vehicle, officers, or other members of the public.
2. All other reasonable intervention techniques have failed or reasonably appear ineffective.
3. Employing the blocking maneuver does not unreasonably increase the risk to officer safety.
4. The target vehicle is stopped or traveling at a low speed.
5. At no time should civilian vehicles be used to deploy this technique.

(b) Only those officers trained in the use of the Pursuit Intervention Technique (PIT) will be authorized to use this procedure and only then with approval of a supervisor upon consideration of the circumstances and conditions presented at the time, including the potential for risk of injury to officers, the public and occupants of the pursued vehicle.

(c) Ramming a fleeing vehicle should be done only after other reasonable tactical means at the officer’s disposal have been exhausted. This tactic should be reserved for
situations where there does not appear to be another reasonable and alternative method. This policy is an administrative guide to direct officers in their decision-making process before the fact of ramming another vehicle. It is not a standard for civil or criminal litigation to judge the propriety of the act; that is a matter for the courts to determine by established law. When ramming is to be employed as a means with which to stop a fleeing vehicle, one or more of the following factors should be present:

1. The suspect is an actual or suspected felon who reasonably appears to represent a serious threat to the public if not apprehended.
2. The suspect is driving with willful or wanton disregard for the safety of other persons; or, is driving in a reckless and life-endangering manner.
3. If there does not reasonably appear to be a present or immediately foreseeable serious threat to the public, the use of ramming is not authorized.

(d) As with all intervention techniques, pursuing officers should obtain supervisor approval before attempting to box a suspect vehicle during a pursuit. The use of such a technique must be carefully coordinated with all involved units, taking into consideration the circumstances and conditions presented at the time as well as the potential risk of injury to officers, the public and occupants of the pursued vehicle.

(e) The use of spike strips should be approved in advance by a supervisor and deployed only when it is reasonably certain that only the pursued vehicle will be affected by their use. Officers should carefully consider the limitations of such devices as well as the potential risks to officers, the public and occupants of the pursued vehicle. If the pursued vehicle is a motorcycle, a vehicle transporting hazardous materials, or a school bus transporting children, officers and supervisors should weigh the potential consequences against the need to immediately stop the vehicle.

(f) Because roadblocks involve a potential for serious injury or death to occupants of the pursued vehicle if the suspect does not stop, the intentional placement of roadblocks in the direct path of a pursued vehicle is generally discouraged and should not be deployed without prior approval of a supervisor and only then under extraordinary conditions when all other reasonable intervention techniques have failed or reasonably appear ineffective and the need to immediately stop the pursued vehicle substantially outweighs the risks of injury or death to occupants of the pursued vehicle, officers or other members of the public.

306.7.5 CAPTURE OF SUSPECTS
Proper self-discipline and sound professional judgment are the keys to a successful conclusion of a pursuit and apprehension of evading suspects. Officers shall use only that amount of force, which reasonably appears necessary under the circumstances, to properly perform their lawful duties.

Unless relieved by a supervisor, the primary officer should coordinate efforts to apprehend the suspects following the pursuit. Officers should consider safety of the public and the involved officers when formulating plans to contain and capture the suspects.
306.8 REPORTING REQUIREMENTS
The following reports should be completed upon conclusion of all pursuits:

The primary officer should complete appropriate crime/arrest reports.

The Watch Commander shall ensure that an Allied Agency Vehicle Pursuit Report (form CHP 187A) is filed with the CHP no later than 30 days following the pursuit (Vehicle Code § 14602.1). The primary officer should complete as much of the required information on the form as is known and forward the report to the Watch Commander for review and distribution.

After first obtaining the available information, a field supervisor shall promptly complete a Department Post Vehicle Pursuit Analysis Form (17004.7 VC), briefly summarizing the pursuit, and submit it to his/her Division Commander. This form will contain the following information:

(a) Date and time of pursuit
(b) Length of pursuit
(c) Maximum speed for surface streets and freeway
(d) Involved units and officers
(e) Initial reason for pursuit
(f) Disposition (arrest, citation), including arrestee information if applicable
(g) Injuries and/or property damage
(h) Medical treatment
(i) Name of supervisor at scene

In addition to the above information, which is included on the form, the Watch Commander will ensure the crime report includes the initial reason for the pursuit and starting and termination points.

The Division Commander and Professional Standards Sergeant will review the crime report for the pursuit, the Post Vehicle Pursuit Analysis Form, AVL data, and any other relevant information and will certify on the Post Vehicle Pursuit Analysis Form if the pursuit appears to be compliant with this policy.

The Captain will maintain in a separate file of all completed Post Vehicle Pursuit Analysis forms for a period of two years. For pursuits determined not to be policy compliant, or for situations requiring further review, additional action will be taken as needed.

306.8.1 REGULAR AND PERIODIC PURSUIT TRAINING
In addition to initial and supplementary Police Officer Standard Training (POST) training on pursuits required by Penal Code § 13519.8, all sworn members of this department will participate no less than annually in regular and periodic department training addressing this policy and the importance of vehicle safety and protecting the public at all times, including a recognition of the need to balance the known offense and the need for immediate capture against the risks to officers and others (Vehicle Code § 17004.7(d)).
306.8.2 POLICY REVIEW
Each sworn member of this department shall certify in writing that they have received, read and understand this policy initially and upon any amendments. The POST attestation form, or an equivalent form, may be used to document the compliance and should be retained in the member’s training file.

306.9 APPLICATION OF VEHICLE PURSUIT POLICY
This policy is expressly written and adopted pursuant to the provisions of Vehicle Code § 17004.7, with additional input from the California POST Vehicle Pursuit Guidelines.
Tire Deflation Devices

307.1 PURPOSE AND SCOPE
The purpose of this policy is to outline the policy and procedure for the use of the Piranha Tire Deflation Device and the Stop Stick Tire Deflation Device.

307.2 PIRANHA TIRE DEFLATION DEVICE
It is the policy of the Department to provide personnel with options, which may prevent a pursuit before it starts. The PIRANHA is designed for use against stationary vehicles. If the vehicle runs over the PIRANHA, hardened steel quills puncture the tire, causing it to lose air within a few seconds. Some of the potential usages include warrant services, surveillance of stolen vehicles, vehicle checkpoints and S.W.A.T. situations.

307.2.1 PROCEDURES AND GUIDELINES FOR DEPLOYMENT
(a) The PIRANHA is designed for use against vehicles that have four or more tires.
(b) The PIRANHA shall not be used on motorcycles, mopeds, or similar vehicles.
(c) The PIRANHA may be deployed on paved surfaces, soft ground, gravel or sand.
(d) In most situations, it is usually more beneficial to deflate a steering tire. In some situations, the PIRANHA might have to be placed on more than one tire. Consideration should be given whether the vehicle will move forward, backward, or in either direction.
(e) The use of the PIRANHA is based on it being placed covertly and not being seen by potential occupants of the vehicle.
(f) The PIRANHA should be placed approximately 6 inches from the target tire, with the grooved plastic BASE against the road surface.

307.2.2 TRAINING
All personnel authorized to deploy the PIRANHA tire deflation device, shall complete an approved training course before deploying the PIRANHA. The Training Manager shall maintain training records for each employee documenting both initial and refresher PIRANHA device training.

307.2.3 REPORTS
Personnel shall complete a written description of the circumstances surrounding any use of the PIRANHA device in the crime report. The description shall be detailed and not merely a statement that the device was deployed.

Supervisors shall forward a copy of the report to the Patrol Division Commander so the used PIRANHA device can be replaced.
307.3  STOP STICK TIRE DEFLATION DEVICE

It is the policy of the Department to provide personnel with resources to reduce the duration and potential hazards of pursuits. The use of the STOP STICK is not considered an application of deadly force in that it produces a slow controlled deflation of the pursued vehicle's tires and is designed to not cause the affected vehicle to lose control.

STOP STICK is a controlled tire deflation device designed to provide a means of terminating a pursuit by deflating the suspect vehicle tires. Once deployed, and the suspect vehicle drives over it, steel quills puncture the tire and air escapes at a slow enough rate to allow for the vehicle to remain under control as the tires slowly deflate.

307.3.1  VEHICLE USAGE GUIDELINES

(a) The STOP STICK shall not be used to stop motorcycles, mopeds, or similar vehicles.
(b) The STOP STICK should not be deployed to stop the following vehicles unless the continued movement of the pursued vehicle would result in an unusual hazard to others.
   1. Any vehicle transporting a hazardous material as defined in Vehicle Code § 2402.7
   2. Any passenger bus transporting passengers
   3. Any school bus transporting pupils

307.3.2  PROCEDURES AND GUIDELINES FOR DEPLOYMENT

STOP STICK deployment plans shall include the following:

(a) Request for supervisor approval for an Officer trained to deploy the STOP STICK to respond to the appropriate location with the STOP STICK.
(b) Close coordination between pursuing units and the officer deploying the STOP STICK.
(c) The STOP STICK should not be used in locations where geographic configurations increase the risk of injury to the suspect (i.e. on roadways bounded by steep descending embankments).
(d) Pursuing units should notify the deploying unit as far in advance as possible
(e) The officer deploying the STOP STICK should be in a position at a predetermined location to allow sufficient time for deployment.
(f) The officer with the STOP STICK should not attempt to overtake and pass a high speed pursuit in order to position the STOP STICK.
(g) Deployment locations should have reasonably good sight distances to enable the officer deploying the strip to observe the pursuit and other traffic as it approaches.
(h) Personnel should exercise extreme care when deploying the STOP STICK to reduce the possibility of damage to uninvolved vehicles and pedestrians. If possible, measures should be taken to divert other traffic from the area to prevent unnecessary damage to other vehicles. After deploying the STOP STICK, personnel should immediately take a position of cover.
(i) The deploying Officer shall stay with the STOP STICK until the pursued vehicle has passed. Personnel who deploy the device should remove it immediately from the roadway after the suspect vehicle crosses it. Personnel should use extreme caution when removing the device from the roadway.

(j) If, as a result of the pursuit and deployment of the STOP STICK device, a suspect vehicle's tires are deflated, the STOP STICK shall be treated as a piece of evidence in a criminal investigation and will be handled as such.

307.3.3 INTER-JURISDICTIONAL PURSUITS
Personnel shall not deploy STOP STICKS in another agency's pursuit unless specifically authorized by the supervisor, or the emergency nature of the situation dictates the need for assistance. In these instances, all Departmental pursuit policies are in effect.

307.3.4 TRAINING
All personnel authorized to deploy the STOP STICK shall complete an approved training course before deploying the STOP STICK tire deflation device. The Training Manager shall maintain training records for each employee documenting both initial and refresher STOP STICK device training.

307.3.5 REPORTS
Personnel shall complete a written description of the circumstances attending any use of the STOP STICK device in the crime report. The description shall be detailed and not merely a statement that the device was deployed. A STOP STICK reporting form should also be completed and attached to the crime report.

Supervisors shall forward a copy of the report to the Patrol Division Commander so the used STOP STICK device can be replaced.
Control Devices and Techniques

308.1 PURPOSE AND SCOPE
This policy provides guidelines for the use and maintenance of control devices that are described in this policy.

308.2 POLICY
In order to control subjects who are violent or who demonstrate the intent to be violent, the Pleasant Hill Police Department authorizes officers to use control devices in accordance with the guidelines in this policy and the Use of Force Policy.

308.3 ISSUING, CARRYING AND USING CONTROL DEVICES
Control devices described in this policy may be carried and used by members of this department only if the device has been issued by the Department or approved by the Chief of Police or the authorized designee.

Only officers who have successfully completed department-approved training in the use of any control device are authorized to carry and use the device.

Control devices may be used when a decision has been made to control, restrain or arrest a subject who is violent or who demonstrates the intent to be violent, and the use of the device appears reasonable under the circumstances. When reasonable, a verbal warning and opportunity to comply should precede the use of these devices.

When using control devices, officers should carefully consider potential impact areas in order to minimize injuries and unintentional targets.

308.3.1 BATON ASP/CARRY REQUIREMENTS
Initial Training:
Personnel will only carry the baton(s) for which they have successfully completed POST certified training. This training will be in the number of hours as required in a POST certified course at the time of completion of such course. Training may include training in the Basic Police Academy and/or subsequent POST certified training provided by the Department. Note: Crowd Control Batons are covered separately, below.

Personnel who were not previously trained in the use of specific baton(s) will achieve the minimum number of hours of instruction as required in a POST certified course prior to carrying the alternate baton on duty.

Ongoing Training:
Personnel authorized and required to carry a baton must successfully complete annual refresher training in the amount of hours specified in a POST certified course.
Control Devices and Techniques

Failure to successfully complete annual training may result in a relief from duty depending upon circumstances.

Administrative personnel may complete annual training as necessary.

The Department Professional Standards Sergeant is responsible for scheduling the annual or ongoing course of instruction.

The Operations Division Commander may designate a Department Impact Weapons instructor to keep an inventory of all types of batons carried by Department members. The Operations Division Commander may also delegate to a Department Impact Weapons instructor other duties related to police batons.

When Required:

Patrol Division personnel involved in enforcement duties shall carry a baton in situations where the use of force could be reasonably be anticipated or in volatile situations in which self defense may be necessary.

Patrol Division personnel will also carry a baton per the direction of a supervisor or Division Commander.

Some exceptions to the carry requirement for Operations Division personnel may include: funerals, court appearances, or attendance at meetings.

Officers assigned to motorcycle duty should have a baton available when enforcing traffic laws.

Other sworn personnel may carry a baton as appropriate and necessary or per the direction of their supervisor or Division Commander.

308.3.2 AUTHORIZED BATONS
The following types of batons are authorized for use by Department (sworn) personnel:

Side handle batons

Straight batons

Expandable friction lock batons

Note: crowd control batons are covered separately below.

The Department will provide one of the above batons to officers hired on or after August 1, 2006, per the officer’s choice or request, provided the officer has successfully met training requirements as of his or her hire date. The baton will remain Department property. For personnel hired prior to August 1, 2006, please see below:

Personnel who choose an alternate type of baton after their initial hire or issuance of a baton, will purchase the alternate baton at their own expense.

a. Specifications:
Control Devices and Techniques

1. Side Handle: The side handle baton will be 24" to 26" long with a fixed or spinning yawara handle. A black rubber grommet may be attached to the end of the yawara handle. The baton will be constructed of dark colored aluminum, aluminum alloy, or polycarbonate. Ornamentation is prohibited.
   a. The baton end and yawara handle will be rounded over.
   b. A fixed holder, compatible in appearance and color with the duty gear, may be worn in lieu of the baton ring. Baton rings are also covered in § 1046.
   c. Expandable side handle batons are authorized.

2. Straight Baton: The straight baton will be 24" to 29" long and constructed of aluminum, aluminum alloy, polycarbonate, or dark colored hardwood. Ornamentation is prohibited. The baton ends will be rounded over. A black rubber grommet will be affixed to the baton for carrying in the ring.
   a. Collapsible straight batons are authorized.
   b. Straight batons will be carried in a ring but collapsible batons may be carried in a fixed holder compatible in appearance and color as the duty gear. Baton rings are also covered in § 1046.
   c. Lanyards are not authorized.

3. Expandable Friction Lock Baton: The expandable friction lock baton carried by sworn Operations Division personnel will be 24" to 31" long when expanded. The baton will be constructed of dark colored carbon steel or aluminum or aluminum alloy. Ornamentation is prohibited. The baton tip will be rounded over. The handle will be of dark colored firm foam or rubber. A grip cap is authorized but ornamental caps are prohibited. Lanyards are not authorized. Only expandable friction lock batons kept open by the means of friction are authorized.
   a. The only authorized expandable friction lock batons are those manufactured by the ASP or Monadnock companies which meet the preceding specifications.
   b. The holder for expandable friction lock batons will be dark colored and compatible in appearance with the duty gear.
   c. Personnel assigned to other divisions may carry an expandable friction lock baton that meets the above specifications but is 16" to 31" upon expansion.

4. Crowd Control Batons: Crowd Control Batons will only be used for crowd control or riot situations and per the direction of a Department supervisor. Crowd control batons will not be used for conventional duties. Note: Personnel assigned to the MAMFF will carry the crowd control baton per the requirements and scope of that assignment.
   a. Crowd control batons for Department use will be straight, dark colored 36" to 42" hardwood with rounded ends and these batons will be issued by the Department. A dark colored grommet will be used to secure the baton in the ring. Baton rings are also covered in § 1046. Lanyards will not be used.
308.3.3 PROHIBITED DEVICES
Billy clubs, saps, sap gloves, blackjacks, and similar items are prohibited for use by Department members without the specific approval of the Chief of Police.

308.3.4 SPECIFIC BATON REPORTING REQUIREMENTS
a. Employees using batons upon persons are responsible for notification to the Watch Commander of the facts and circumstances of use. Employees who display a baton only will notify the Watch Commander of the display.

b. Employees using batons upon a person will document the use of the baton in an arrest/crime report. The report will reference the specific techniques used and the facts and circumstances present which led to use of the baton.

c. Employees who display a baton only may be required to document the display and facts and circumstances present which led to the display in a police report per the direction of a supervisor or Division Commander.

308.4 RESPONSIBILITIES

308.4.1 USER RESPONSIBILITIES
All normal maintenance, charging or cleaning shall remain the responsibility of personnel using the various devices.

Notice of any damaged, inoperative, outdated or expended control devices or munitions, along with documentation explaining the cause of the damage, shall be forwarded to the employee's Division Commander for disposition. Damage to City property forms shall also be prepared and forwarded through the chain of command, when appropriate, explaining the cause of damage.

308.5 BATON GUIDELINES
The need to immediately control a suspect must be weighed against the risk of causing serious injury. The head, neck, throat, spine, heart, kidneys and groin should not be intentionally targeted except when the officer reasonably believes the suspect poses an imminent threat of serious bodily injury or death to the officer or others.

When carrying a baton, uniformed personnel shall carry the baton in its authorized holder on the equipment belt. Plainclothes and non-field personnel may carry the baton as authorized and in accordance with the needs of their assignment or at the direction of their supervisor.

308.6 TEAR GAS GUIDELINES
Tear gas may be used for crowd control, crowd dispersal or against barricaded suspects based on the circumstances. Only the Watch Commander or Incident Commander may authorize the delivery and use of tear gas, and only after evaluating all conditions known at the time and determining that such force reasonably appears justified and necessary.
When practicable, fire personnel should be alerted or summoned to the scene prior to the deployment of tear gas to control any fires and to assist in providing medical aid or gas evacuation if needed.

308.7 OLEORESIN CAPSICUM (OC) GUIDELINES
As with other control devices, oleoresin capsicum (OC) spray may be considered for use to bring under control an individual or groups of individuals who are engaging in, or are about to engage in violent behavior. OC spray should not, however, be used against individuals or groups who merely fail to disperse or do not reasonably appear to present a risk to the safety of officers or the public.

308.7.1 OC SPRAY
Uniformed personnel carrying OC spray shall carry the standard department issued or approximate 4 ounce size device in its holster on the equipment belt. Uniformed personnel may elect to carry a smaller version of the OC spray containing approximately one ounce of fluid and this will be carried in a readily accessible pocket secured by a canister clip. This device may also be carried in a holder on the belt. This version of OC will also be department issued.

Plainclothes and non-field personnel may carry OC spray as authorized, in accordance with the needs of their assignment or at the direction of their supervisor.

308.7.2 TREATMENT FOR OC SPRAY EXPOSURE
Persons who have been sprayed with or otherwise affected by the use of OC should be promptly provided with clean water to cleanse the affected areas. Those persons who complain of further severe effects shall be examined by appropriate medical personnel.

308.8 POST-APPLICATION NOTICE
Whenever tear gas or OC has been introduced into a residence, building interior, vehicle or other enclosed area, officers should provide the owners or available occupants with notice of the possible presence of residue that could result in irritation or injury if the area is not properly cleaned. Such notice should include advisement that clean up will be at the owner’s expense. Information regarding the method of notice and the individuals notified should be included in related reports.

308.8.1 DEPLOYMENT
Only department-approved kinetic energy munitions shall be carried and deployed. Approved munitions may be used to compel an individual to cease his/her actions when such munitions present a reasonable option.

Officers are not required or compelled to use approved munitions in lieu of other reasonable tactics if the involved officer determines that deployment of these munitions cannot be done safely. The safety of hostages, innocent persons and officers takes priority over the safety of subjects engaged in criminal or suicidal behavior.

Circumstances appropriate for deployment include, but are not limited to, situations in which:
Control Devices and Techniques

(a) The suspect is armed with a weapon and the tactical circumstances allow for the safe application of approved munitions.

(b) The suspect has made credible threats to harm him/herself or others.

(c) The suspect is engaged in riotous behavior or is throwing rocks, bottles or other dangerous projectiles at people and/or officers.

(d) There is probable cause to believe that the suspect has already committed a crime of violence and is refusing to comply with lawful orders.

308.8.2 DEPLOYMENT CONSIDERATIONS
Before discharging projectiles, the officer should consider such factors as:

(a) Distance and angle to target.

(b) Type of munitions employed.

(c) Type and thickness of subject's clothing.

(d) The subject's proximity to others.

(e) The location of the subject.

(f) Whether the subject's actions dictate the need for an immediate response and the use of control devices appears appropriate.

A verbal warning of the intended use of the device should precede its application, unless it would otherwise endanger the safety of officers or when it is not practicable due to the circumstances. The purpose of the warning is to give the individual a reasonable opportunity to voluntarily comply and to warn other officers and individuals that the device is being deployed.

Officers should keep in mind the manufacturer's recommendations and their training regarding deployment distances and target areas. However, officers are not restricted solely to use according to manufacturer recommendations. Each situation must be evaluated on the totality of circumstances at the time of deployment.

The need to immediately incapacitate the subject must be weighed against the risk of causing serious injury or death. The head and neck should not be intentionally targeted, except when the officer reasonably believes the suspect poses an imminent threat of serious bodily injury or death to the officer or others.

308.8.3 SAFETY PROCEDURES
Shotguns designated for the use of kinetic energy projectiles will be specially marked with red or orange stocks. These shotguns will normally be stored in the trunks of patrol vehicles.

Officers carrying these shotguns will inspect the shotgun at the beginning of each shift to ensure that it is in proper working order and loaded only with approved projectiles.
Control Devices and Techniques

308.9 KINETIC ENERGY PROJECTILE GUIDELINES
This department is committed to reducing the potential for violent confrontations. Kinetic energy projectiles, when used properly, are less likely to result in death or serious physical injury and can be used in an attempt to de-escalate a potentially deadly situation.

308.9.1 DEPLOYMENT AND USE
Only department-approved kinetic energy munitions shall be carried and deployed. Approved munitions may be used to compel an individual to cease his/her actions when such munitions present a reasonable option.

Officers are not required or compelled to use approved munitions in lieu of other reasonable tactics if the involved officer determines that deployment of these munitions cannot be done safely. The safety of hostages, innocent persons and officers takes priority over the safety of subjects engaged in criminal or suicidal behavior.

Circumstances appropriate for deployment include, but are not limited to, situations in which:

(a) The suspect is armed with a weapon and the tactical circumstances allow for the safe application of approved munitions.
(b) The suspect has made credible threats to harm him/herself or others.
(c) The suspect is engaged in riotous behavior or is throwing rocks, bottles or other dangerous projectiles at people and/or officers.
(d) There is probable cause to believe that the suspect has already committed a crime of violence and is refusing to comply with lawful orders.

308.9.2 DEPLOYMENT CONSIDERATIONS
Before discharging projectiles, the officer should consider such factors as:

(a) Distance and angle to target.
(b) Type of munitions employed.
(c) Type and thickness of subject’s clothing.
(d) The subject’s proximity to others.
(e) The location of the subject.
(f) Whether the subject’s actions dictate the need for an immediate response and the use of control devices appears appropriate.

A verbal warning of the intended use of the device should precede its application, unless it would otherwise endanger the safety of officers or when it is not practicable due to the circumstances. The purpose of the warning is to give the individual a reasonable opportunity to voluntarily comply and to warn other officers and individuals that the device is being deployed.

Officers should keep in mind the manufacturer’s recommendations and their training regarding effective distances and target areas. However, officers are not restricted solely to use according to
Control Devices and Techniques

manufacturer recommendations. Each situation must be evaluated on the totality of circumstances at the time of deployment.

The need to immediately incapacitate the subject must be weighed against the risk of causing serious injury or death. The head and neck should not be intentionally targeted, except when the officer reasonably believes the suspect poses an imminent threat of serious bodily injury or death to the officer or others.

308.9.3 SAFETY PROCEDURES
Shotguns specifically designated for use with kinetic energy projectiles will be specially marked in a manner that makes them readily identifiable as such.

Officers will inspect the shotgun and projectiles at the beginning of each shift to ensure that the shotgun is in proper working order and the projectiles are of the approved type and appear to be free from defects.

When it is not deployed, the shotgun will be unloaded and properly and securely stored in the vehicle. When deploying the kinetic energy projectile shotgun, the officer shall visually inspect the kinetic energy projectiles to ensure that conventional ammunition is not being loaded into the shotgun.

Absent compelling circumstances, officers who must transition from conventional ammunition to kinetic energy projectiles will employ the two-person rule for loading. The two-person rule is a safety measure in which a second officer watches the unloading and loading process to ensure that the weapon is completely emptied of conventional ammunition.

308.10 TRAINING FOR CONTROL DEVICES
The Professional Standards Sergeant shall ensure that all personnel who are authorized to carry a control device have been properly trained and certified to carry the specific control device and are retrained or recertified as necessary.

   (a) Proficiency training shall be monitored and documented by a certified, control-device weapons or tactics instructor.

   (b) All training and proficiency for control devices will be documented in the officer's training file.

   (c) Officers who fail to demonstrate proficiency with the control device or knowledge of this agency’s Use of Force Policy will be provided remedial training. If an officer cannot demonstrate proficiency with a control device or knowledge of this agency’s Use of Force Policy after remedial training, the officer will be restricted from carrying the control device and may be subject to discipline.
308.11 REPORTING USE OF CONTROL DEVICES AND TECHNIQUES
Any application of a control device or technique listed in this policy shall be documented in the related incident report and reported pursuant to the Use of Force Policy; supervisors will complete the Department Use of Force form and the Supervisor's Daily Report.
Officer Response to Calls

309.1 PURPOSE AND SCOPE
This policy provides for the safe and appropriate response to emergency and non-emergency situations whether dispatched or self-initiated.

309.2 RESPONSE TO CALLS
Officers dispatched "Code-3" shall consider the call an emergency response and proceed immediately. Officers responding Code-3 shall continuously operate emergency lighting equipment, including at minimum a steady forward facing red light, and shall sound the siren as reasonably necessary pursuant to Vehicle Code § 21055.

Responding with emergency light(s) and siren does not relieve the officer of the duty to continue to drive with due regard for the safety of all persons. The use of any other warning equipment without a red light and siren does not provide any exemption from the Vehicle Code.

Officers should only respond Code-3 when so dispatched or when circumstances reasonably indicate an emergency response is required. Officers not authorized to respond Code-3 shall observe all traffic laws and proceed without the use of emergency lights and siren.

309.3 REQUESTING EMERGENCY ASSISTANCE
Requests for emergency assistance should be limited to those situations where the involved personnel reasonably believe that there is an immediate threat to the safety of officers, or assistance is needed to prevent imminent serious harm to a citizen. In any event, where a situation has stabilized and emergency response is not required, the requesting officer shall immediately notify Dispatch.

If circumstances permit, the requesting officer should give the following information:

- The unit number
- The location
- The reason for the request and type of emergency
- The number of units required

309.3.1 NUMBER OF UNITS ASSIGNED
Normally, only two units should respond to an emergency call Code-3 unless the Watch Commander authorizes an additional unit(s). Extraordinary circumstances may require additional units responding Code-3.

309.4 INITIATING CODE 3 RESPONSE
If an officer believes a Code-3 response to any call is appropriate, the officer shall immediately notify Dispatch. Generally, only two units should respond Code-3 to any situation. An exception is the report of a major injury traffic collision where only one unit will respond Code 3.
Watch Commanders will monitor officer initiated Code 3 responses and Dispatch will ensure Watch Commanders are notified of officer initiated Code 3 responses; Watch Commanders will make a determination if the Code 3 response is appropriate.

Should another officer believe a Code-3 response is appropriate to a situation, Dispatch shall be notified and the Watch Commander will make a determination as to whether one or more officers driving Code-3 is appropriate.

309.5 RESPONSIBILITIES OF RESPONDING OFFICERS
Officers shall exercise sound judgment and care with due regard for life and property when responding to an emergency call. Officers shall reduce speed at all street intersections to such a degree that they shall have complete control of the vehicle.

The decision to continue a Code-3 response is at the discretion of the officer. If, in the officer's judgment, the roadway conditions or traffic congestion does not permit such a response without unreasonable risk, the officer may elect to respond to the call without the use of red lights and siren at the legal speed limit. In such an event, the officer should immediately notify Dispatch. An officer shall also discontinue the Code-3 response when directed by a supervisor.

Upon receiving authorization or determining a Code-3 response is appropriate, an officer shall immediately give the location from which he/she is responding.

309.6 COMMUNICATIONS RESPONSIBILITIES
A dispatcher shall assign a Code-3 response when an officer requests emergency assistance or available information reasonably indicates that the public is threatened with serious injury or death and immediate police response is needed. In all other circumstances, the dispatcher shall obtain authorization from the Watch Commander prior to assigning units Code-3. The dispatcher shall:

(a) Attempt to assign the closest available unit to the location requiring assistance
(b) Immediately notify the Watch Commander
(c) Confirm the location from which the unit is responding
(d) Notify and coordinate allied emergency services (e.g., fire and ambulance)
(e) Continue to obtain and broadcast information as necessary concerning the response and monitor the situation until it is stabilized or terminated
(f) Control all radio communications during the emergency and coordinate assistance under the direction of the Watch Commander

309.7 SUPERVISORY RESPONSIBILITIES
Upon being notified that a Code-3 response has been initiated, the Watch Commander shall verify the following:

(a) The proper response has been initiated
(b) No more than those units reasonably necessary under the circumstances are involved in the response

(c) Affected outside jurisdictions are being notified as practical

The Watch Commander shall monitor the response until it has been stabilized or terminated and assert control by directing units into or out of the response if necessary. If, in the supervisor's judgment, the circumstances require additional units to be assigned a Code-3 response, the supervisor may do so.

It is the Watch Commander's responsibility to terminate a Code-3 response that, in his/her judgment is inappropriate due to the circumstances.

When making the decision to authorize a Code-3 response, the Watch Commander should consider the following:

• The type of call
• The necessity of a timely response
• Traffic and roadway conditions
• The location of the responding units

309.8 FAILURE OF EMERGENCY EQUIPMENT

If the emergency equipment on the vehicle should fail to operate, the officer must terminate the Code-3 response and respond accordingly. In all cases, the officer shall notify the Watch Commander, field supervisor, or Dispatch of the equipment failure so that another unit may be assigned to the emergency response.
Problem Solving

310.1 PURPOSE AND SCOPE
The purpose, vision, and values statements of the Pleasant Hill Police Department speak to its firm commitment to the community and the partnerships it creates with the people it serves. To accomplish this, the Department embraces a community policing/problem solving model of service. The State of California Attorney General's Office defines community policing as the following:

"Community policing is a philosophy, management style, and organizational strategy that promotes pro-active problem solving and police-community partnerships to address the causes of crime and fear as well as other community issues."

Problem solving is not a specialized program or activity relegated to a particular team or group of people. It is a mindset and a mode of operation.

The Pleasant Hill Police Department has adopted problem solving as a department-wide philosophy. Therefore, all police personnel are expected to perform their duties with long-term problem resolution in mind. The following guidelines are strategies that will assist patrol personnel in furthering the department's success in problem solving efforts.

310.2 PROBLEM IDENTIFICATION
The police employee cannot assume that he/she can identify and solve the problems in the community by themselves. Police employees must actively seek input from citizens on problems, priorities, policies, and strategies. Although PHPD recognizes the priority of rapid effective response to in-progress crimes, along with effective investigations and apprehension of criminals, the department places emphasis on the prevention of crime and the promotion of public safety. This involves a pro-active identification of community issues before they erupt into larger problems, and a commitment to working on long-term strategies to address the underlying conditions or causes.

This identification process may occur in a variety of ways such as recognition of repeated calls for service, crime analysis, or from meeting with residents and merchants and learning about their concerns.

When a significant problem is identified, a formalized S.A.R.A. (scanning; analysis; response; assessment) project will be developed by the Patrol Team Sergeant.

Scanning refers to seeking and identifying problems. Problems are defined as multiple incidents that are similar in nature and are having a negative impact on the quality of life in a neighborhood or community area. A broad and intensive view, occurring during a period of time, in a particular area or series of crimes needs to be undertaken. This also includes the underlying patterns and conditions seen by the community as a problem.
Problem Solving

Analysis is an in-depth inquiry into all aspects of the identified problem. The analysis must be thorough, creative and innovative. Information must be obtained and analyzed that identifies the people involved, incidents and current responses involved in the problem. Information can be obtained from a variety of public and private sources, not just police data.

Response is a course of action that describes tactics, strategies, goals and objectives. Public agencies and community members may be involved in the project. Solutions may go beyond traditional criminal justice system remedies and involve several non-police agencies and community groups.

Assessment is an evaluation of the results and effectiveness of the response strategies. Findings should determine if the problem was solved or alleviated. If not, the portion of S.A.R.A. should address why there was no solution and recommend appropriate further action.

310.3 BEAT OFFICER RESPONSIBILITIES
Patrol officers will be assigned a specific beat for the duration of the shift and will work to identify and solve problems that occur on his or her assigned beat. See Policy Manual section 216.3.3 for further on beat assignments.

An officer not assigned to a beat will act as a cover officer and handle calls for service on beats when the beat officer is unavailable. Calls for service may be held for a reasonable amount of time, depending on the type of call, when the beat officer is unavailable due to meal breaks, follow up, or while handling other calls. If a priority call is received and the beat officer is not immediately available, the call for service may be assigned to the cover officer or the nearest available beat officer. The patrol supervisor is ultimately responsible for deciding whether a call for service should be held for the beat officer or assigned to a cover officer.

310.4 SUPERVISOR RESPONSIBILITIES
The sergeant assigned to each team will be ultimately responsible for the identification and resolution to both criminal and quality of life issues that are occurring on their shift. Sergeants may conduct periodic crime analysis reviews to help identify emerging crime trends, traffic related issues, or quality of life issues that are affecting the community.

Sergeants may be directed to present crime analysis reviews at Department Command Staff meetings.

When a problem in the community is identified, the Team Sergeant is responsible for ensuring stakeholders are identified; partnerships are developed with them; and stakeholders are invited into the problem-solving process. A problem analysis report will be completed by the Team Sergeant when the response involves a comprehensive involvement of resources or directed enforcement. The supervisor shall inform his or her Division Commander of the circumstances of a particular project. The Division Commander will approve the project prior to implementation. The Team Sergeant is responsible for ensuring timely follow up on projects and any after action report. The Patrol Division Commander will be responsible for the filing and retention of all projects.
310.5 COMMUNITY RESOURCE OFFICER
The Community Resource Officer (CRO) is assigned to the Investigations Division and works under the supervision of the Investigations Division Commander. The CRO works collectively with the beat officer to help facilitate responses to larger more chronic community concerns such as homelessness, graffiti, and gangs. The CRO can also be a useful resource when establishing strategies involving issues that call for specialized training in crime prevention. The CRO acts as a liaison with agencies such as Contra Costa County Mental Health and homeless outreach programs to provide assistance to community members. The CRO is also responsible for facilitating department involvement in community events, such as Community Service Day, National Night Out, and various other community activities.

The CRO shall not be assigned as the primary officer responsible for a specific project unless assigned by his or her Division Commander.
Police Servie Dog Program

311.1 PURPOSE AND SCOPE

This policy establishes guidelines for the use of canines to augment police services to the community including, but not limited to locating individuals, and contraband and apprehending criminal offenders.

311.2 GUIDELINES FOR THE USE OF CANINES

A canine may be used to locate and apprehend a suspect if the canine handler reasonably believes that the individual has either committed, is committing or threatening to commit any serious offense and if any of the following conditions exist:

(a) There is a reasonable belief that the individual poses an imminent threat of violence or serious harm to the public, any officer, or the handler.

(b) The individual is physically resisting or threatening to resist arrest and the use of a canine reasonably appears to be necessary to overcome such resistance.

(c) The individual(s) is/are believed to be concealed in an area where entry by other than the canine would pose a threat to the safety of officers or the public.

It is recognized that situations may arise that do not fall within the provisions set forth in this policy. In any such case, a standard of objective reasonableness shall be used to review the decision to use a canine in view of the totality of the circumstances.

Absent a reasonable belief that a suspect has committed, is committing or is threatening to commit a serious offense, mere flight from a pursuing officer, without any of the above conditions, shall not serve as the basis for the use of a canine to apprehend a suspect.

In all applications, once the suspect has been located and no longer reasonably appears to present a threat or risk of escape, the handler should secure the canine as soon as it becomes reasonably practicable.

If the canine has apprehended the suspect with a secure bite, and the handler believes that the suspect no longer poses a threat, the handler should promptly command the canine to release the suspect.

311.2.1 PREPARATION FOR UTILIZING A CANINE

Prior to the use of a canine to search for or apprehend any suspect, the canine handler and/or the supervisor on-scene should carefully consider all pertinent information reasonably available at the time. The information should include, but is not limited to:
(a) The nature and seriousness of the suspected offense.
(b) Whether violence or weapons were used or are anticipated.
(c) The degree of resistance or threatened resistance, if any, the suspect has shown.
(d) The suspect's known or perceived age.
(e) The potential for injury to officers or the public caused by the suspect if the canine is not utilized.
(f) Any potential danger to the public and/or other officers at the scene if the canine is released.
(g) The potential for the suspect to escape or flee if the canine is not utilized.
(h) Environmental factors of the area to be searched.

As circumstances permit, the canine handler should make every reasonable effort to communicate and coordinate with other involved members to minimize the risk of unintended injury.

It is the canine handler’s responsibility to evaluate each situation and determine whether the use of a canine is appropriate and reasonable. The canine handler shall have the authority to decline the use of the canine whenever he/she deems deployment is unsuitable.

A supervisor who is sufficiently apprised of the situation may prohibit deploying the canine.

Unless otherwise directed by a supervisor, assisting members should take direction from the handler in order to minimize interference with the canine.

311.2.2 WARNINGS GIVEN TO ANNOUNCE THE USE OF A CANINE

Unless it would increase the risk of injury or escape, a clearly audible warning announcing that a canine will be used if the suspect does not surrender should be made prior to releasing a canine. The handler should allow a reasonable time for a suspect to surrender and should attempt to quiet the canine momentarily to listen for any verbal response to the warning. If feasible, other members should be in a location opposite the warning to verify that the announcement could be heard. If available, warnings given in other languages should be used as necessary.

If a warning is not to be given, the canine handler, when practicable, should first advise the supervisor of his/her decision before releasing the canine. In the event of an apprehension, the handler shall document in any related report how the warning was given and, if none was given, the reasons why.

Following is an example of the warning which will be given: “This is the Pleasant Hill Police Department Canine Unit. Make yourself known now and surrender or we will send the canine. If the canine finds you, you may be bitten.” In any case, the warning should include the following: agency identification, the fact a canine is present, a demand for the suspect to reveal him or herself and to surrender, and notification the canine is about to be released and the canine may bite.

311.2.3 USE OF NARCOTIC-DETECTION CANINES
A canine trained in narcotics detection may be used in accordance with current law and under certain circumstances, including:

(a) The search of vehicles, buildings, bags and other articles.
(b) Assisting in the search for narcotics during a search warrant service.
(c) Obtaining a search warrant by using the narcotics-detection trained canine in support of probable cause

A narcotics detection canine will not be used to search a person for narcotics.

Requests for the use of a narcotics detection canine by an outside agency will require the approval of the Watch Commander. Requests for the use of a canine at a planned search warrant service by an outside agency will require the approval of the Operations Division Commander.

311.2.4 GUIDELINES FOR NON-APPREHENSION USE
Properly trained canines may be used to track or search for non-criminals (e.g., lost children, individuals who may be disoriented or in need of medical attention). The canine handler is responsible for determining the canine’s suitability for such assignments based on the conditions and the particular abilities of the canine. When the canine is deployed in a search or other non-apprehension operation, the following guidelines apply.

(a) Absent a change in circumstances that present an immediate threat to officers, the canine, or the public, such applications should be conducted on-leash or under conditions that minimize the likelihood the canine will bite or otherwise injure the individual, if located.

(b) Unless otherwise directed by a supervisor, assisting members should take direction from the handler in order to minimize interference with the canine.

(c) Throughout the deployment the handler should periodically give verbal assurances that the canine will not bite or hurt the individual and encourage the individual to make him/herself known.

(d) Once the individual has been located, the handler should place the canine in a down-stay or otherwise secure it as soon as reasonably practicable

311.2.5 REPORTING CANINE USE, BITES AND INJURIES
Whenever the police service dog is deployed in any capacity apprehension or otherwise, a Canine Use Report shall be completed by the handler and turned in to the Unit Coordinator before going off-duty. Canine Use Reports shall be submitted for review by the Unit Commander at the end of each month.

Whenever the use of the canine results in a bite or any injury a Canine Use Report Form shall be completed, in addition to any related crime/incident reports. Copies of both the Canine Use
Report and any crime/incident report will be submitted to the Unit Commander for review as soon as practicable. This review will be supplemental to any crime/incident report review conducted by the on-duty Watch Commander.

The injured party should be transported to an appropriate medical facility if the injury requires medical attention beyond first aid. If the injured party is in custody an officer should remain with the suspect until treatment has been rendered.

Photographs shall be taken of the bite or injury as soon as practicable after tending to the immediate needs of the injured party. Photographs shall be retained as evidence in accordance with current department evidence procedures.

If a subject alleges an injury that is not visible, a supervisor shall be notified and the location of the alleged injury should be photographed as described above.

The Unit Coordinator will maintain liaison with the Animal Control Department to ensure that information regarding canine bites is not retained by its office. Canines used by law enforcement agencies are exempt from impoundment and reporting requirements to the Animal Control Department (Food and Agriculture Code § 31609(b)).

311.2.6 REPORTING CANINE INJURIES
In the event that a canine is injured, the injury will be immediately reported to the Watch Commander. The Unit Coordinator will be notified as soon as practicable.

Medical care for any injured canine shall follow the protocol established in § 318.6 et seq.

The injury will be documented on a Canine Use Report Form.

311.3 REQUEST FOR USE OF CANINE TEAMS
Personnel within the Department are encouraged to freely solicit the use of the canines. Requests for a canine team from outside of the Patrol Division shall go through the Unit Coordinator or the Watch Commander.

311.3.1 REQUEST FOR ASSISTANCE FROM OTHER AGENCIES
The Watch Commander or the Unit Coordinator must approve all requests for canine assistance from outside agencies, subject to the following provisions:

(a) Canine teams shall not be used for any assignment that is not consistent with this policy.

(b) The handler has the ultimate authority to decide whether the canine should be used for any specific assignment.

(c) Canine teams shall not be called out while off-duty or used outside the boundaries of the City of Pleasant Hill Police unless authorized by the Watch Commander or the Unit Coordinator.
It shall be the responsibility of the canine handler to coordinate with outside agency personnel in order to minimize the risk of unintended injury.

311.3.2 REQUEST FOR PUBLIC DEMONSTRATIONS
All public requests for a canine team shall be approved by the Unit Coordinator prior to making any commitment.

Handlers shall not demonstrate any apprehension work to the public unless authorized to do so by the Unit Coordinator.

311.4 SELECTION OF CANINE HANDLERS
The following are the minimum qualifications for the assignment of canine handler:

(a) Pleasant Hill Police Department officer (off probation). Corporals and other ranks are ineligible for appointment as handlers.

(b) Reside in an adequately fenced residence that can accommodate a steel fence style dog kennel six feet high. The residence will be subject to inspection by the Unit Coordinator. If the residence is unsuitable for canine housing, the candidate will not proceed in the testing process.

(c) Complete a physical standard test of lifting a 70 lb weight once to a height of six feet and running 1.5 miles in 15 minutes or less. Candidates failing the physical standard test will be given one opportunity at remediation no later than 14 days after the initial test. Candidates failing the physical standards test remediation will not be eligible for further consideration or appointment during that testing period.

(d) Should reside within 35 minutes travel time (during peak commute) from the handler's driveway or parking space to the Pleasant Hill city limit.

(e) Agree to serve as a PSD handler for a minimum of 4-6 years or the duration of the canine’s working life. This will include not submitting interest for other specialized assignments which would conflict with the canine assignment.

(f) Successful completion of a psychological examination. The psychologist will be selected by the Department.

(g) The selection process will include an interview and staff evaluation. An interview with the Chief of Police or designee may also occur.

311.5 CANINE HANDLER RESPONSIBILITIES

311.5.1 AVAILABILITY
The handler shall be available for call-out under conditions specified by the Unit Coordinator or Division Commander.
311.5.2 CARE FOR THE CANINE AND EQUIPMENT
The handler shall ensure that the canine receives proper nutrition, grooming, training, medical care, affection, and living conditions. The handler will be responsible for the following:

(a) The handler shall maintain all department equipment under his/her control in a clean and serviceable condition and when not on duty shall maintain the canine vehicle in a garage, secured from public view. Handlers who do not reside in residences with garages will not park the police vehicle at their residence while off duty.

(b) When a handler takes a vacation or extended number of days off, the police vehicle will be parked at the Police Department facility or per the direction of the Unit Coordinator.

(c) Handlers shall permit the Unit Coordinator to conduct spontaneous on-site inspections of affected areas of their residence as well as the canine unit, to verify that conditions and equipment conform to this policy.

(d) Any changes in the living status of the handler which may affect the lodging or environment of the canine shall be reported to the Unit Coordinator as soon as possible.

(e) When off-duty, canines shall be maintained in kennels, provided by the City, at the homes of their handlers. When off-duty, canines may be let out of their kennels while under the direct control of their handlers.

(f) The canine may be permitted to socialize in the home with the handler’s family for short periods of time and under the direct supervision of the handler.

(g) The canine will not be lodged at a location other than the handler's residence unless approved by the Unit Coordinator or Division Watch Commander.

(h) When off-duty, handlers shall not involve their canines in any activity or conduct unless approved in advance by the Unit Coordinator or Watch Commander.

(i) Whenever a canine handler anticipates taking a vacation or an extended number of days off, it may be necessary to temporarily relocate the canine. In those situations, the handler shall give reasonable notice to the Unit Coordinator so that appropriate arrangements can be made.

(j) Vehicle- A specially modified patrol vehicle will be assigned to the canine handler primarily for their use only. The vehicle will not be used by other personnel except in emergencies or other critical situations. When not in use, the vehicle will be parked in an assigned space at the Police facility.

Handlers may drive the vehicle home. Handlers will use magnetic "Out of Service" placards when driving to and from home as the handler is considered off duty.
Handlers will use the "Out of Service" placards when driving to and from off site training if the handler is not wearing the duty uniform or is not wearing a badge and carrying a holstered duty firearm.

(a) Specialized Canine Equipment- Specialized equipment needed for duty or training will be developed or purchased only with the permission of the Unit Coordinator. The handler is responsible for maintenance of the equipment. Equipment will be stored in the trunk of the canine police vehicle or in the handler's locker.

311.5.3 CANINE IN PUBLIC AREAS
All Police Service Dogs shall normally be kept on a leash when in areas that allow access to the public. Exceptions would include specific police operations for which the Police Service Dogs are trained.

(a) Canines shall not be left unattended in any area to which the public may have access.

(b) When the canine vehicle is left unattended all windowopenings and doors shall be secured to prevent the canine's escape or unintended contact with people outside the vehicle.

(c) On a day with temperatures in excess of 60 degrees, the PSD should not be left in the patrol unit with the windows up and air conditioning off. The heat alarm should be turned on and the handler should attempt to park the car in the shade with the air conditioner running. The handler will use the ignition bypass so the vehicle can be locked while left running.

(d) The rear window of the unit should not be left down more than a few inches when the handler is not present.

(e) Under normal circumstances, PSDs are not allowed in the police facility. See exception below for attendance at briefings. Handlers may use the kennel located in the enclosed patio with access through the exterior gate.

(f) Per Watch Commander approval, the PSD may be brought to the daily briefing to which the handler is assigned. PSD handlers will not bring the PSD to briefing if any Team member or other person objects to the canine's presence in the Briefing room. If the canine is present in the Briefing room, the canine should be placed by the handler in the "down" or "sit" position. Upon completion of briefing, the handler will remove the PSD from the facility.

(g) If the PSD is brought into the police facility, the cane will remain on leash at all times and in the immediate proximity of the handler. At no time will a handler leave the PSD alone or unattended.
311.5.4 HANDLER COMPENSATION
The canine handler shall be compensated for time spent in the care, feeding, grooming and other needs of the dog as provided in the Fair Labor Standards Act. The compensation shall be prescribed in the employee's Memorandum of Understanding; see the Memorandum of Understanding for further details.

311.5.5 CANINE OWNERSHIP
(a) Acquisition- Police service canines meeting or exceeding the standards established in the purchase agreement with the contract kennel shall be purchased by the department for use in the canine program.

(b) Title - Title to all active duty police service canines purchased by the department shall rest with the City of Pleasant Hill. No handler or other individual shall hold or accrue any vested interest in the title to such canines.

(c) Term of Service- Police service canines shall remain in active service from the time of their original acquisition and certification to duty until they are no longer able to perform the duties of a police service canine because of age, physical disability, or loss of certification.

(d) Assignment to Handlers- Police service canines shall be assigned to a handler who, by agreement, shall be responsible for the training, care, and performance of the canine.

(e) The canine shall remain assigned to the handler as long as the handler remains active in the canine program and as long as the canine is suitable for duty.

(f) Should a handler leave the program during the period in which the canine is deemed still suitable for police service work, the canine shall be reassigned to another handler if possible.

(g) Retirement of Canine- Police service canines which become unsuitable for police service work because of age or physical disability shall be retired from active duty.

(h) Upon retirement of a police service canine, the current handler of the canine will receive an option to purchase the canine from the City of Pleasant Hill for the sum of one dollar ($1.00). This provision does not apply to handlers who voluntarily end service as a handler prior to the end of the service life of the canine; rather at the request of the handler, the City may consider selling the canine to the handler for a price based upon the fair market value of the dog.

(i) Canines purchased from the City of Pleasant Hill, retired or otherwise, become the property of the purchaser, who is solely responsible for all issues related to the canine. This shall include all expenses.
311.5.6 GENERAL RULES OF BEHAVIOR WHEN IN THE PRESENCE OF A CANINE

(a) During a traffic stop, cover officers should generally avoid walking to close to the police service canine vehicle.

(b) Officers should avoid standing or positioning themselves between the canine officer and canine or the canine and the suspect. An officer in this position should remain motionless.

(c) Officer(s) must warn bystanders who find themselves between the handler and canine, or otherwise in jeopardy, to remain motionless until told it is safe to move.

(d) Officers shall not contaminate an area to be searched by the canine. Perimeter positions should be utilized to improve chances of apprehension in the event a suspect is flushed out. When searching as a cover officer with a canine team, attention should be focused on the area being searched, not the canine, to ensure cover for the handler and to maintain a tactical advantage for the search group.

(e) If a working police canine approaches an officer, the officer should not make any sudden moves. The officer should stand still to avoid being mistaken by the canine as the subject of the search. Likewise, when searching with a canine team, cover officers should remain with the handler and not stray from the search team unless otherwise directed.

(f) Any time a police canine has apprehended a suspect, officers should not attempt to take physical custody of the suspect until the canine has been called off and/or the handler has control of the canine. The handler may direct officers to facilitate the arrest of a suspect during or after an apprehension, depending on circumstances present at the time.

(g) Police canines shall not be fed by persons without handler permission.

(h) Under no circumstances will an officer attempt to pet a police canine unless the handler is present and has given approval.

(i) No person should agitate a police canine except in controlled training.

(j) Officers shall not wave their arms or shout at the canine unless critical to an official situation.

(k) Officers shall not tease or allow the police service canine to be teased except when expressly authorized by the canine's handler.

(l) A person's actions, even in "fun", may be misinterpreted by the canine that has been trained to be aggressive when agitated.

(m) Patrol officers will be alert to apprehend any person who, with malicious intent, tries to hurt the service canine or to interfere with the legal performance of the canine.
311.6 MEDICAL CARE OF THE CANINE
All medical attention shall be rendered by the designated canine veterinarian, except during an emergency as provided in Policy Manual § 318.6.2.

The current designated veterinarian is the Hillcrest Veterinary Clinic, 2211 Morello Avenue, Pleasant Hill.

The PSD Coordinator may authorize visits at another clinic for handlers not residing in proximity to Pleasant Hill.

311.6.1 NON-EMERGENCY MEDICAL CARE
Non-emergency medical care will be coordinated through the Unit Coordinator.

Any indication that a canine is not in good physical condition shall be reported to the Unit Coordinator or the Watch Commander as soon as practical.

All records of medical treatment shall be maintained in a file.

311.6.2 EMERGENCY MEDICAL CARE
The handler shall notify the Watch Commander and Unit Coordinator as soon as practicable when emergency medical care for the canine is required and/or rendered.

Depending on the severity of the injury or illness, the canine shall either be treated by the designated veterinarian or transported to a designated emergency medical facility for treatment. If the handler and dog are out of the area, the handler may use the nearest available veterinarian.

The designated emergency vet clinic is the Sage Center for Veterinary Specialty and Emergency Care, 1410 Monument Blvd., Concord, CA.

311.7 TRAINING
Before assignment in the field, each canine team shall be trained and certified to meet current POST standards, related to obedience, searching, and apprehension. Additionally, cross-trained narcotic detection canine teams shall be trained and certified to meet the standards established for such detection dogs by the California Narcotic Canine Association or other recognized and approved certification standards.

The Unit Coordinator shall be responsible for scheduling periodic training for all department personnel in order to familiarize them with operational considerations when working with canine teams, as well as how to conduct themselves in the presence of department canines.

311.7.1 CONTINUED TRAINING
Each canine team shall thereafter be recertified to current POST standards and the California Narcotic Canine Association or other recognized and approved certification standards on an annual basis. Additional training considerations are as follows:
Police Service Dog Program

(a) Canine teams shall receive training as defined in the current contract with the department’s canine training provider.

(b) Canine handlers are encouraged to engage in additional training with approval of the Unit Coordinator.

(c) To ensure that all training is consistent, no handler, trainer, or outside vendor is authorized to train to a standard that is contrary to the policies of the Pleasant Hill Police Department.

(d) All canine training shall be conducted while on-duty unless otherwise approved by the Unit Coordinator or Watch Commander.

311.7.2 FAILURE TO SUCCESSFULLY COMPLETE POST TRAINING
Any dog team failing POST canine certification and, if cross-trained, the California Narcotic Canine Association or other recognized and approved certification standards shall not be deployed in the field until certification is achieved. When practical, pending successful certification, the canine handler shall be temporarily reassigned to regular patrol duties.

311.7.3 TRAINING RECORDS
All canine training records shall be maintained in a file by the Unit Coordinator.

311.8 CANINE UNIT COORDINATOR RESPONSIBILITIES
The Unit Coordinator shall be appointed by staff and shall supervise the Canine Program. The Unit Coordinator is directly responsible to the Patrol Division Commander. The Unit Coordinator shall be responsible for, but not limited to, the following:

(a) Reviewing all canine use reports to ensure compliance with policy and to identify training issues and other needs of the program

(b) Maintain liaison with the vendor kennel

(c) Maintain liaison with administrative staff and functional supervisors

(d) Maintain liaison with other agency canine coordinators

(e) Maintain accurate records to document canine activities

(f) Recommend and oversee the procurement of needed equipment and services for the unit

(g) Be responsible for scheduling all canine related activities

(h) Ensure the canine teams are scheduled for continuous training to maximize the capabilities of the teams

(i)
Police Service Dog Program

(j) The Coordinator is responsible for the maintenance of all records for the PSD Program. This includes receipt of all expenses to the City for the PSD program, training records and certificates, activity reports and other documents related to the PSD program.

Service as the Unit Coordinator is considered a corollary duty; it is not a promotion or special assignment.

311.9 CONTROLLED SUBSTANCE TRAINING AIDS

Controlled substance training aids are required to effectively train and maintain drug detecting dogs. Further, controlled substances can also be an effective training aid during training sessions for law enforcement personnel and the public.

Health & Safety Code § 11367.5 provides that any Sheriff, Chief Of Police, the Chief of the Bureau of Controlled Substance Enforcement, or the Commissioner of the California Highway Patrol, or a designee thereof may, in his or her discretion, provide controlled substances in his or her possession for training purposes:

(a) To any duly authorized peace officer or civilian drug detection canine trainer working under the direction of a law enforcement agency

(b) Provided the controlled substances are no longer needed as criminal evidence

(c) Provided the person receiving the controlled substances, if required by the Drug Enforcement Administration, possesses a current and valid Drug Enforcement Administration registration that specifically authorizes the recipient to possess controlled substances while providing substance abuse training to law enforcement or the community or while providing canine drug detection training. The PSD Coordinator will be responsible for obtaining the DEA license and maintaining the original license in the canine narcotics safe. The PSD Coordinator will maintain a copy of the license in the canine program file.

311.9.1 PROCEDURES

Due to the responsibilities and liabilities involved with possessing readily usable amounts of controlled substances and the ever-present danger of accidental ingestion of these controlled substances by the canine, the following procedure shall be followed:

(a) All necessary controlled substance training samples shall be acquired from the Pleasant Hill Police Department’s evidence personnel or from allied agencies authorized by Health & Safety Code § 11367.5 to provide controlled substance training samples. All controlled substance training samples shall be weighed and tested prior to dispensing to the individual canine handler; see (i) below.

(b) The weight and test results shall be recorded and maintained by this department; see (i) below.
(c) Any person receiving controlled substance training samples pursuant to Health & Safety Code § 11367.5 shall maintain custody and control of the controlled substances and shall keep records regarding any loss of, or damage to, those controlled substances; see (i) below.

(d) All controlled substance training samples will be inspected, weighed, and tested quarterly. The results of the quarterly testing shall be recorded and maintained by the canine coordinator with a copy forwarded to the dispensing agency; see (i) below.

(e) All controlled substance training samples will be stored in locked containers at all times, except during training. The locked boxes shall be secured in the trunk of the canine handler's assigned patrol unit, or stored in a safe; see (i) below.

(f) The Unit Coordinator shall periodically inspect every controlled substance training sample for damage or tampering and take any appropriate action; see (i) below.

(g) Any unusable controlled substance training samples shall be returned to the Property/Evidence or to the dispensing agency.

(h) All controlled substance training samples shall be returned to the dispensing agency upon the conclusion of the training or upon demand by the dispensing agency.

(i) Upon receiving the narcotics, the Unit Coordinator will conduct an initial inventory. Each narcotic shall be weighed, and the following information recorded in the K-9 Narcotics Inventory book. Each initial entry is to be signed by the Unit Coordinator. Each narcotic container will be marked with its source, (where it came from), date received, type of narcotic, and weight of narcotic. Any discrepancy noted during the inventory will be immediately reported to the Patrol Division Commander, who will determine appropriate action to be taken. The designated narcotic K9 handler, in the presence of the Unit Coordinator may separate the narcotics and repackage them suitably for narcotics training. Each re-packaged narcotics will be recorded in the K9 Narcotics Inventory book to reflect the following, and will be conducted by the Unit Coordinator and handler:

- Source
- Date of packaging
- Type of narcotic
- Weight of narcotic

An inventory is to be conducted and recorded in the Narcotics Inventory book by the Unit Coordinator and a designated narcotic K9 handler quarterly. An inventory may be done at any time, as requested by the Operations Division Commander, the Unit Coordinator, or a narcotics
K9 handler. All inventories are to be documented in writing by the Unit Coordinator and given to the Operations Division Commander for review.

Storage of Narcotics: Narcotics will be stored in airtight containers (pelican style cases) that will be placed in a locked safe when not in use for training or inventory purposes. When the narcotics are checked out by the handler or Unit Coordinator, they will be logged out in the Canine Narcotics log book, noting the date and time taken, the identification number or marking, the weight of the narcotic including packaging, the signature or initials of the individual checking the narcotics out, and how used for training or inventory purposes. The canine handler, trainer, and/or Unit Coordinator will note the type of narcotic training aid used and the location where it is hidden during a session, to ensure the appropriate recovery of all items upon conclusion of training.

311.9.2 IMMUNITY
All duly authorized peace officers acting in the performance of their official duties and any person working under their immediate direction, supervision or instruction are immune from prosecution under the Uniform Controlled Substance Act while providing substance abuse training or canine drug detection training (Health & Safety Code § 11367.5(b)).
Domestic Violence

312.1 PURPOSE AND SCOPE
The purpose of this policy is to provide the guidelines necessary to deter, prevent and reduce domestic violence through vigorous enforcement and to address domestic violence as a serious crime against society. The policy specifically addresses the commitment of this department to take enforcement action when appropriate, to provide assistance to victims and to guide officers in the investigation of domestic violence.

312.1.1 DEFINITIONS
Definitions related to this policy include:

Court order - All forms of orders related to domestic violence that have been issued by a court of this state or another, whether civil or criminal, regardless of whether service has been made.

312.2 POLICY
The Pleasant Hill Police Department’s response to incidents of domestic violence and violations of related court orders shall stress enforcement of the law to protect the victim and shall communicate the philosophy that domestic violence is criminal behavior. It is also the policy of this department to facilitate victims’ and offenders’ access to appropriate civil remedies and community resources whenever feasible.

312.3 OFFICER SAFETY
The investigation of domestic violence cases often places officers in emotionally charged and sometimes highly dangerous environments. No provision of this policy is intended to supersede the responsibility of all officers to exercise due caution and reasonable care in providing for the safety of any officers and parties involved.

312.4 INVESTIGATIONS
The following guidelines should be followed by officers when investigating domestic violence cases:

(a) Calls of reported, threatened, imminent or ongoing domestic violence and the violation of any court order are of extreme importance and should be considered among the highest response priorities. This includes incomplete 9-1-1 calls.

(b) When practicable, officers should obtain and document statements from the victim, the suspect and any witnesses, including children, in or around the household or location of occurrence.

(c) Officers should list the full name and date of birth (and school if available) of each child who was present in the household at the time of the offense. The names of other children who may not have been in the house at that particular time should also be obtained for follow-up.
Domestic Violence

(d) When practicable and legally permitted, video or audio record all significant statements and observations.

(e) All injuries should be photographed, regardless of severity, taking care to preserve the victim’s personal privacy. Where practicable, photographs should be taken by a person of the same sex. Victims whose injuries are not visible at the time of the incident should be asked to contact the Investigations in the event that the injuries later become visible.

(f) Officers should request that the victim complete and sign an authorization for release of medical records related to the incident when applicable.

(g) If the suspect is no longer at the scene, officers should make reasonable efforts to locate the suspect to further the investigation, provide the suspect with an opportunity to make a statement and make an arrest or seek an arrest warrant if appropriate.

(h) Seize any firearms or other dangerous weapons in the home, if appropriate and legally permitted, for safekeeping or as evidence. If the domestic violence involved threats of bodily harm, any firearm discovered in plain view or pursuant to consent or other lawful search must be taken into temporary custody (Penal Code § 18250).

(i) When completing an incident or arrest report for violation of a court order, officers should include specific information that establishes that the offender has been served, including the date the offender was served, the name of the agency that served the order and the provision of the order that the subject is alleged to have violated. When reasonably available, the arresting officer should attach a copy of the order to the incident or arrest report.

(j) Officers should take appropriate enforcement action when there is probable cause to believe an offense has occurred. Factors that should not be used as sole justification for declining to take enforcement action include:

1. Marital status of suspect and victim.
2. Whether the suspect lives on the premises with the victim.
3. Claims by the suspect that the victim provoked or perpetuated the violence.
4. The potential financial or child custody consequences of arrest.
5. The physical or emotional state of either party.
6. Use of drugs or alcohol by either party.
7. Denial that the abuse occurred where evidence indicates otherwise.
8. A request by the victim not to arrest the suspect.
9. Location of the incident (public/private).
10. Speculation that the complainant may not follow through with the prosecution.
11. The racial, cultural, social, professional position or sexual orientation of the victim or suspect.
Domestic Violence

312.4.1 IF A SUSPECT IS ARRESTED
If a suspect is arrested, officers should:

(a) Advise the victim that there is no guarantee the suspect will remain in custody.
(b) Provide the victim’s contact information to the jail staff to enable notification of the victim upon the suspect's release from jail.
(c) Advise the victim whether any type of court order will be in effect when the suspect is released from jail.

312.4.2 IF NO ARREST IS MADE
If no arrest is made, the officer should:

(a) Advise the parties of any options, including but not limited to:
   1. Voluntary separation of the parties.
   2. Appropriate resource referrals (e.g., counselors, friends, relatives, shelter homes, victim witness unit).

(b) Document the resolution in a report if a crime occurred. Non criminal incidents will be documented on an Event Report.

312.5 VICTIM ASSISTANCE
Victims may be traumatized or confused. Officers should:

(a) Recognize that a victim’s behavior and actions may be affected.
(b) Provide the victim with the department’s domestic violence information handout, even if the incident may not rise to the level of a crime.
(c) Alert the victim to any available victim advocates, shelters and community resources.
(d) Stand by for a reasonable amount of time when an involved person requests law enforcement assistance while removing essential items of personal property.
(e) Seek medical assistance as soon as practicable for the victim if he/she has sustained injury or complains of pain.
(f) Ask the victim whether he/she has a safe place to stay. Assist in arranging to transport the victim to an alternate shelter if the victim expresses a concern for his/her safety or if the officer determines that a need exists.
(g) Make reasonable efforts to ensure that children or dependent adults who are under the supervision of the suspect or victim are being properly cared for.
(h) Seek or assist the victim in obtaining an emergency order if appropriate.

An officer shall advise an individual protected by a Canadian domestic violence protection order of available local victim services (Family Code § 6452).
Domestic Violence

312.6 DISPATCH ASSISTANCE
All calls of domestic violence, including incomplete 9-1-1 calls, should be dispatched as soon as practicable.

Dispatchers are not required to verify the validity of a court order before responding to a request for assistance. Officers should request that dispatchers check whether any of the involved persons are subject to the terms of a court order.

312.7 FOREIGN COURT ORDERS
Various types of orders may be issued in domestic violence cases. Any foreign court order properly issued by a court of another state, Indian tribe, or territory shall be enforced by officers as if it were the order of a court in this state. An order should be considered properly issued when it reasonably appears that the issuing court has jurisdiction over the parties and reasonable notice and opportunity to respond was given to the party against whom the order was issued (18 USC § 2265). An otherwise valid out-of-state court or foreign order shall be enforced, regardless of whether the order has been properly registered with this state (Family Code § 6403).

Canadian domestic violence protection orders shall also be enforced in the same manner as if issued in this state (Family Code § 6452).

312.8 VERIFICATION OF COURT ORDERS
Determining the validity of a court order, particularly an order from another jurisdiction, can be challenging. Therefore, in determining whether there is probable cause to make an arrest for a violation of any court order, officers should carefully review the actual order when available, and where appropriate and practicable:

(a) Ask the subject of the order about his/her notice or receipt of the order, his/her knowledge of its terms and efforts to respond to the order.
   1. If a determination is made that a valid foreign order cannot be enforced because the subject has not been notified or served the order, the officer shall inform the subject of the order, make a reasonable effort to serve the order upon the subject, and allow the subject a reasonable opportunity to comply with the order before enforcing the order. Verbal notice of the terms of the order is sufficient notice (Family Code § 6403).

(b) Check available records or databases that may show the status or conditions of the order.
   1. Registration or filing of an order in California is not required for the enforcement of a valid foreign order (Family Code § 6403).

(c) Contact the issuing court to verify the validity of the order.

(d) Contact a law enforcement official from the jurisdiction where the order was issued to verify information.
Domestic Violence

Officers should document in an appropriate report their efforts to verify the validity of an order, regardless of whether an arrest is made. Officers should contact a supervisor for clarification when needed.

312.9 LEGAL MANDATES AND RELEVANT LAWS
California law provides for the following:

312.9.1 STANDARDS FOR ARRESTS
Officers investigating a domestic violence report should consider the following:

(a) An arrest should be made when there is probable cause to believe that a felony or misdemeanor domestic violence offense has been committed (Penal Code § 13701). Any decision to not arrest an adult when there is probable cause to do so requires supervisor approval.

1. Officers are only authorized to make an arrest without a warrant for a misdemeanor domestic violence offense if the officer makes the arrest as soon as probable cause arises (Penal Code § 836).

(b) An officer responding to a domestic violence call who cannot make an arrest will advise the victim of his/her right to make a private person's arrest. The advisement should be made out of the presence of the suspect and shall include advising the victim how to safely execute the arrest. Officers shall not dissuade victims from making a lawful private person's arrest. Officers should refer to the provisions in the Private Persons Arrests Policy for options regarding the disposition of private person's arrests (Penal Code § 836(b)).

(c) Officers shall not cite and release a person for the following offenses (Penal Code § 853.6(a)(3)):

1. Penal Code § 243(e)(1) (battery against spouse, cohabitant)
2. Penal Code § 273.5 (corporal injury on spouse, cohabitant, fiancé/fiancée, person of a previous dating or engagement relationship, mother/father of the offender’s child)
3. Penal Code § 273.6 (violation of protective order) if violence or threats of violence have occurred or the suspect has gone to the workplace or residence of the protected party
4. Penal Code § 646.9 (stalking)
5. Other serious or violent felonies specified in Penal Code § 1270.1

(d) In responding to domestic violence incidents, including mutual protective order violations, officers should generally be reluctant to make dual arrests. Officers shall make reasonable efforts to identify the dominant aggressor in any incident. The dominant aggressor is the person who has been determined to be the most significant, rather than the first, aggressor (Penal Code § 13701). In identifying the dominant aggressor, an officer shall consider:
1. The intent of the law to protect victims of domestic violence from continuing abuse.
2. The threats creating fear of physical injury.
3. The history of domestic violence between the persons involved.
4. Whether either person acted in self-defense.

(e) An arrest shall be made when there is probable cause to believe that a violation of a domestic violence court order has been committed (Penal Code § 13701; Penal Code § 836), regardless of whether the offense was committed in the officer’s presence. After arrest, the officer shall confirm that a copy of the order has been registered, unless the victim provides a copy (Penal Code § 836).

312.9.2 COURT ORDERS

(a) An officer who obtains an emergency protective order from the court shall serve it on the restrained person if the person can be reasonably located, and shall provide the person protected or the person’s parent/guardian with a copy of the order. The officer shall file a copy with the court as soon as practicable and shall have the order entered into the computer database system for protective and restraining orders maintained by the Department of Justice (Family Code § 6271; Penal Code § 646.91).

(b) At the request of the petitioner, an officer at the scene of a reported domestic violence incident shall serve a court order on a restrained person (Family Code § 6383; Penal Code § 13710).

(c) Any officer serving a protective order that indicates that the respondent possesses weapons or ammunition shall request that the firearm/ammunition be immediately surrendered (Family Code § 6389(c)(2)).

(d) During the service of a protective order any firearm discovered in plain view or pursuant to consent or other lawful search shall be taken into temporary custody (Penal Code § 18250).

(e) If a valid Canadian order cannot be enforced because the person subject to the order has not been notified or served with the order, the officer shall notify the protected individual that reasonable efforts shall be made to contact the person subject to the order. The officer shall make a reasonable effort to inform the person subject to the order of the existence and terms of the order and provide him/her with a record of the order, if available, and shall allow the person a reasonable opportunity to comply with the order before taking enforcement action (Family Code § 6452).

312.9.3 PUBLIC ACCESS TO POLICY
A copy of this domestic violence policy will be provided to members of the public upon request (Penal Code § 13701).

312.9.4 REPORTS AND RECORDS

(a) A written report shall be completed on all incidents of domestic violence. All such reports should be documented on the appropriate form, which includes information
and notations specific to domestic violence incidents as required by Penal Code § 13730.

(b) Reporting officers should provide the victim with the case number of the report. The case number may be placed in the space provided on the domestic violence victim information handout provided to the victim. If the case number is not immediately available, an explanation should be given regarding how the victim can obtain the information at a later time.

(c) Officers who seize any firearm or other deadly weapon in a domestic violence incident shall issue the individual possessing such weapon a receipt that includes the name and residential mailing address of the owner or person who possessed the weapon and notice of where the weapon may be recovered, along with the applicable time limit for recovery (Penal Code § 18250; Penal Code § 18255; Penal Code § 33800; Family Code § 6389(c)(2)).

312.9.5 RECORD-KEEPING AND DATA COLLECTION
This department shall maintain records of court orders related to domestic violence and the service status of each (Penal Code § 13710), as well as records on the number of domestic violence related calls reported to the Department, including whether weapons were used in the incident or whether the incident involved strangulation or suffocation (Penal Code § 13730). This information is to be reported to the Attorney General monthly. It shall be the responsibility of the Support Services Supervisor to maintain and report this information as required.

312.9.6 DECLARATION IN SUPPORT OF BAIL INCREASE
Any officer who makes a warrantless arrest for a felony or misdemeanor violation of a domestic violence restraining order shall evaluate the totality of the circumstances to determine whether reasonable cause exists to seek an increased bail amount. If there is reasonable cause to believe that the scheduled bail amount is insufficient to assure the arrestee’s appearance or to protect the victim or family member of a victim, the officer shall prepare a declaration in support of increased bail (Penal Code § 1269c).
Search and Seizure

313.1 PURPOSE AND SCOPE
Both the federal and state Constitutions provide every individual with the right to be free from unreasonable searches and seizures. This policy provides general guidelines for Pleasant Hill Police Department personnel to consider when dealing with search and seizure issues.

313.2 POLICY
It is the policy of the Pleasant Hill Police Department to respect the fundamental privacy rights of individuals. Members of this department will conduct searches in strict observance of the constitutional rights of persons being searched. All seizures by this department will comply with relevant federal and state law governing the seizure of persons and property.

The Department will provide relevant and current training to officers as guidance for the application of current law, local community standards and prosecutorial considerations regarding specific search and seizure situations, as appropriate.

313.3 SEARCHES
The U.S. Constitution generally provides that a valid warrant is required in order for a search to be valid. There are, however, several exceptions that permit a warrantless search.

Examples of law enforcement activities that are exceptions to the general warrant requirement include, but are not limited to, searches pursuant to the following:

- Valid consent
- Incident to a lawful arrest
- Legitimate community caretaking interests
- Vehicle searches under certain circumstances
- Exigent circumstances

Certain other activities are recognized by federal and state courts and by certain statutes as legitimate law enforcement activities that also do not require a warrant. Such activities may include seizure and examination of abandoned property, and observations of activities and property located on open public areas.

Because case law regarding search and seizure is constantly changing and subject to interpretation by the courts, each member of this department is expected to act in each situation according to current training and his/her familiarity with clearly established rights as determined by case law.

Whenever practicable, officers are encouraged to contact a supervisor to resolve questions regarding search and seizure issues prior to electing a course of action.
313.4 SEARCH PROTOCOL  
Although conditions will vary and officer safety and other exigencies must be considered in every search situation, the following guidelines should be followed whenever circumstances permit:

(a) Members of this department will strive to conduct searches with dignity and courtesy.

(b) Officers should explain to the person being searched the reason for the search and how the search will be conducted.

(c) Searches should be carried out with due regard and respect for private property interests and in a manner that minimizes damage. Property should be left in a condition as close as reasonably possible to its pre-search condition.

(d) In order to minimize the need for forcible entry, an attempt should be made to obtain keys, combinations or access codes when a search of locked property is anticipated.

(e) When the person to be searched is of the opposite sex as the searching officer, a reasonable effort should be made to summon an officer of the same sex as the subject to conduct the search. When it is not practicable to summon an officer of the same sex as the subject, the following guidelines should be followed:

1. Another officer or a supervisor should witness the search.
2. The officer should not search areas of the body covered by tight-fitting clothing, sheer clothing or clothing that could not reasonably conceal a weapon.

313.5 DOCUMENTATION  
Officers are responsible to document any search and to ensure that any required reports are sufficient including, at minimum, documentation of the following:

• Reason for the search
• Any efforts used to minimize the intrusiveness of any search (e.g., asking for consent or keys)
• What, if any, injuries or damage occurred
• All steps taken to secure property
• The results of the search, including a description of any property or contraband seized
• If the person searched is the opposite sex, any efforts to summon an officer of the same sex as the person being searched and the identification of any witness officer

Supervisors shall review reports to ensure the reports are accurate, that actions are properly documented and that current legal requirements and department policy have been met.
Search Warrant Protocol

314.1 PURPOSE AND SCOPE
This Policy establishes the guidelines and equipment which will be used when personnel from this Department engage in the service of a search warrant.

314.2 POLICY
It is the policy of this Department and the Investigations Division that a Department Supervisor will be present at the service of every search warrant (including requests from outside agencies), unless there is prior exemption by the applicable Patrol or Investigations Division Commander or, in his/her absence, his/her designee.

It is also the policy of this Department, as well as the Investigations Division, that the following procedures will be adhered to whenever personnel from this Department are engaged in the service of a search warrant.

314.3 PROCEDURES
The following procedures will be followed when Department personnel are involved in the service of any search warrant:

(a) A formal, thorough briefing will be conducted by the investigator who is responsible for the warrant, prior to responding to the location for service of the warrant.

(b) Each officer involved in the service of the warrant will have a thorough understanding of his/her assignment, the "layout" of the location, what the warrant is for, and who, if anyone, is to be arrested, as well as any known weapons inside the location.

(c) All personnel involved in the warrant service will wear a police "bust" attire if they are not in a standard police uniform.

(d) All Department personnel involved in the warrant service will wear body armor.

(e) If possible, each officer involved in the service of the warrant should have a portable radio.

(f) Normally, the officer who is responsible for the warrant shall handle all of the necessary paperwork at the scene, i.e., property receipts and leaving a copy of the search warrant at the scene or with the person(s) upon whom the warrant was served.

(g) The officer who is responsible for the warrant will be responsible for assigning personnel for the listing, collection, transportation and processing of all evidence and property taken from the scene, as well as the booking of anyone who was arrested at the scene.
(h) Any deviations from these procedures should normally be discussed with and approved by the supervisor at the scene.

314.4 RISK ASSESSMENT AND OPERATIONAL PLANS

It is the policy of the Pleasant Hill Police Department that the service of all residential search warrants will involve a risk assessment and completion of an operational plan. Standardized forms will be used in the completion of the risk assessment and operational plan. These documents will be forwarded to the Support Services Division Commander who will store and retain them separately from the case file and in accordance with the department's records retention policy.

Additionally, whenever possible risk assessments and operational plans should be prepared per the direction of a supervisor or Division Commander for pre-planned probation or parole building searches. Risk assessments and operational plans should be prepared for investigations related to violent crimes or crimes involving weapons.
Temporary Custody of Juveniles

315.1 PURPOSE AND SCOPE
This policy provides guidelines consistent with the Juvenile Justice and Delinquency Prevention Act for juveniles taken into temporary custody by members of the Pleasant Hill Police Department (34 USC § 11133).

Guidance regarding contacting juveniles at schools or who may be victims is provided in the Child Abuse Policy.

315.1.1 DEFINITIONS
Definitions related to this policy include:

Juvenile non-offender - An abused, neglected, dependent or alien juvenile who may be legally held for his/her own safety or welfare. This also includes any juvenile who may have initially been contacted for an offense that would not subject an adult to arrest (e.g., fine-only offense) but was taken into custody for his/her protection or for purposes of reuniting the juvenile with a parent, guardian or other responsible person.

Juvenile offender - A juvenile 17 years of age or younger who is alleged to have committed an offense that would subject an adult to arrest (a non-status offense). It also includes an offense under Penal Code § 29610 for underage possession of a handgun or concealable firearm (28 CFR 31.303).

Non-secure custody - When a juvenile is held in the presence of an officer or other custody employee at all times and is not placed in a locked room, cell or behind any locked doors. Juveniles in non-secure custody may be handcuffed but not to a stationary or secure object. Personal supervision, through direct visual monitoring and audio two-way communication is maintained. Monitoring through electronic devices, such as video, does not replace direct visual observation (Welfare and Institutions Code § 207.1(d); 15 CCR 1150).

Safety checks - Direct, visual observation personally by a member of this department performed at random intervals within time frames prescribed in this policy to provide for the health and welfare of juveniles in temporary custody.

Secure custody - When a juvenile offender is held in a locked room, a set of rooms or a cell. Secure custody also includes being physically secured to a stationary object (15 CCR 1146).

Examples of secure custody include:

(a) A juvenile left alone in an unlocked room within the secure perimeter of the adult temporary holding area.

(b) A juvenile handcuffed to a rail.

(c) A juvenile placed in a room that contains doors with delayed egress devices that have a delay of more than 30 seconds.
Temporary Custody of Juveniles

(d) A juvenile being processed in a secure booking area when a non-secure booking area is available.
(e) A juvenile left alone in a secure booking area after being photographed and fingerprinted.
(f) A juvenile placed in a cell within the adult temporary holding area, whether or not the cell door is locked.

Sight and sound separation - Located or arranged to prevent physical, visual or auditory contact.

Status offender - A juvenile suspected of committing a criminal violation of the law that would not be a criminal violation but for the age of the offender. Examples may include running away, underage possession of tobacco, curfew violation and truancy. A juvenile in custody on a court order or warrant based upon a status offense is also a status offender. This includes the habitually disobedient or truant juvenile under Welfare and Institutions Code § 601 and any juvenile suspected of an offense that would not subject an adult to arrest (e.g., fine-only offense).

315.2 AUTHORITY TO DETAIN
Legal authority for taking custody of juvenile offenders is found in Welfare and Institutions Code § 625. The Pleasant Hill Police Department is committed to releasing juveniles from temporary custody as soon as reasonably practicable and keeping juveniles safe while they are in temporary custody at the Pleasant Hill Police Department. Juveniles should be held in temporary custody only for as long as reasonably necessary for processing, transfer or release.

315.3 JUVENILES WHO SHOULD NOT BE HELD
Juveniles who exhibit any of the following conditions should not be held at the Pleasant Hill Police Department:

(a) Unconscious
(b) Seriously injured
(c) A known suicide risk or obviously severely emotionally disturbed
(d) Significantly intoxicated except when approved by the Watch Commander. A medical clearance shall be obtained for minors who are under the influence of drugs, alcohol or any other intoxicating substance to the extent that they are unable to care for themselves (15 CCR 1151).
(e) Extremely violent or continuously violent

Officers taking custody of a juvenile who exhibits any of the above conditions should take reasonable steps to provide medical attention or mental health assistance and notify a supervisor of the situation (15 CCR 1142; 15 CCR 1151).

These juveniles should not be held at the Pleasant Hill Police Department unless they have been evaluated by a qualified medical and/or mental health professional (15 CCR 1142).
Temporal Custody of Juveniles

If the officer taking custody of the juvenile believes the juvenile may be a suicide risk, the juvenile shall be under continuous direct supervision until evaluation, release or a transfer is completed (15 CCR 1142).

315.3.1 EMERGENCY MEDICAL CARE OF JUVENILES IN CUSTODY
When emergency medical attention is required for a juvenile, medical assistance will be called immediately. The Watch Commander shall be notified of the need for medical attention for the juvenile. Department members should administer first aid as applicable (15 CCR 1142).

315.3.2 SUICIDE PREVENTION OF JUVENILES IN CUSTODY
Department members should be alert to potential symptoms based upon exhibited behavior that may indicate the juvenile is a suicide risk. These symptoms may include depression, refusal to communicate, verbally threatening to kill him/herself or any unusual behavior which may indicate the juvenile may harm him/herself while in either secure or non-secure custody (15 CCR 1142).

315.4 CUSTODY OF JUVENILES
Officers should take custody of a juvenile and temporarily hold the juvenile at the Pleasant Hill Police Department when there is no other lawful and practicable alternative to temporary custody. Refer to the Child Abuse Policy for additional information regarding detaining a juvenile that is suspected of being a victim.

No juvenile should be held in temporary custody at the Pleasant Hill Police Department without authorization of the arresting officer’s supervisor or the Watch Commander. Juveniles taken into custody shall be held in non-secure custody unless otherwise authorized by this policy.

Any juvenile taken into custody shall be released to the care of the juvenile’s parent or other responsible adult or transferred to a juvenile custody facility or to other authority as soon as practicable and in no event shall a juvenile be held beyond six hours from the time of his/her entry into the Pleasant Hill Police Department (34 USC § 11133; Welfare and Institutions Code § 207.1(d)).

315.4.1 CUSTODY OF JUVENILE NON-OFFENDERS
Non-offenders taken into protective custody in compliance with the Child Abuse Policy should generally not be held at the Pleasant Hill Police Department. Custodial arrangements should be made for non-offenders as soon as reasonably possible. Juvenile non-offenders shall not be held in secure custody (34 USC § 11133; Welfare and Institutions Code § 206).

315.4.2 CUSTODY OF JUVENILE STATUS OFFENDERS
Status offenders should generally be released by citation or with a warning rather than taken into temporary custody. However, officers may take custody of a status offender if requested to do so by a parent or legal guardian in order to facilitate reunification (e.g., transported home or to the station to await a parent). Juvenile status offenders shall not be held in secure custody (34 USC § 11133).
315.4.3 CUSTODY OF JUVENILE OFFENDERS

Juvenile offenders should be held in non-secure custody while at the Pleasant Hill Police Department unless another form of custody is authorized by this policy or is necessary due to exigent circumstances.

Generally, a juvenile offender may be taken into custody when authorized by a court order or when there is probable cause to believe the juvenile has committed an offense that would subject an adult to arrest (Welfare and Institutions Code § 625).

A juvenile offender who is 14 years of age or older and suspected of using a firearm in violation of Welfare and Institutions Code § 625.3 shall be transported to a juvenile facility.

A juvenile offender suspected of committing murder or a sex offense that may subject a juvenile to criminal jurisdiction under Welfare and Institutions Code § 602(b), or a serious or violent felony should be referred to a probation officer for a decision on further detention.

In all other cases the juvenile offender may be:

(a) Released upon warning or citation.
(b) Released to a parent or other responsible adult after processing at the Department.
(c) Referred to a probation officer for a decision regarding whether to transport the juvenile offender to a juvenile facility.
(d) Transported to his/her home or to the place where the juvenile offender was taken into custody (Welfare and Institutions Code § 207.2).

In determining which disposition is appropriate, the investigating officer or supervisor shall prefer the alternative which least restricts the juvenile’s freedom of movement, provided that alternative is compatible with the best interests of the juvenile and the community (Welfare and Institutions Code § 626).

Whenever a juvenile offender under the age of 14 is taken into custody, the officer should take reasonable steps to verify and document the child's ability to differentiate between right and wrong, particularly in relation to the alleged offense (Penal Code § 26).

315.4.4 DISPOSITIONS

(a) Any juvenile not transferred to a juvenile facility shall be released to one of the following:

1. Parent or legal guardian
2. An adult member of his/her immediate family
3. An adult person specified by the parent/guardian
4. An adult person willing to accept responsibility, when the juvenile's parents are unavailable as approved by the Watch Commander
Temporary Custody of Juveniles

5. To him or herself depending upon the severity of the offense and the time of the day.

(b) If the six hour time limit has expired, the juvenile should be transported to the juvenile hall to accept custody

(c) After an officer has taken a juvenile into temporary custody for a violation of law, the following dispositions are authorized:

1. The arresting officer may counsel or admonish the juvenile and recommend no further action be taken.

2. If the arresting officer or the Watch Commander believes that further action is needed, the juvenile will be released to a responsible person as listed above, and such juvenile will be advised that follow-up action will be taken by a detective assigned to YSB. The detective assigned to the case will then determine the best course of action, such as diversion or referral to court. The detective will contact the parent(s) or guardian and advise them of the course of action.

3. The arresting officer may complete an Application for Petition form on behalf of the juvenile and forward it to the Investigation division for processing.

4. The juvenile may be transferred to Juvenile Hall with authorization of the appropriate supervisor or the Watch Commander when the violation falls within the provisions of Welfare and Institutions Code § 602.

(d) If a juvenile is to be transported to Juvenile Hall, the following forms shall accompany the juvenile:

1. Application for Petition.

2. A copy of the applicable reports for each juvenile transported. In certain cases Juvenile Hall may accept custody of the juvenile based on the petition and the agreement that facsimile copies will be forwarded as soon as completed.

3. Any personal property taken from the juvenile at the time of detention

315.5 ADVISEMENTS

Officers shall take immediate steps to notify the juvenile’s parent, guardian or a responsible relative that the juvenile is in custody, the location where the juvenile is being held and the intended disposition (Welfare and Institutions Code § 627).

Whenever a juvenile is taken into temporary custody, he/she shall be given the Miranda rights advisement regardless of whether questioning is intended (Welfare and Institutions Code § 625).

Anytime a juvenile offender is placed in secure custody, he/she shall be informed of the purpose of the secure custody, the length of time the secure custody is expected to last and of the maximum six-hour limitation (Welfare and Institutions Code § 207.1(d)).
Temporary Custody of Juveniles

Juveniles taken into custody for an offense shall immediately be advised (or at least within one hour from being taken into custody, if possible) that they may make three telephone calls: one call completed to his/her parent or guardian; one to a responsible relative or his/her employer; and another call completed to an attorney. The calls shall be at no expense to the juvenile when completed to telephone numbers within the local calling area. Juveniles should be asked whether they are a caregiver and provided two more phone calls in the same manner as provided to adults in the Temporary Custody of Adults Policy (Welfare and Institutions Code § 627; Penal Code § 851.5).

315.6 JUVENILE CUSTODY LOGS
Any time a juvenile is held in custody at the Department the custody shall be promptly and properly documented in the juvenile custody log, including:

(a) Identifying information about the juvenile.
(b) Date and time of arrival and release from the Pleasant Hill Police Department (15 CCR 1150).
(c) Watch Commander notification and approval to temporarily hold the juvenile.
(d) Any charges for which the juvenile is being held and classification of the juvenile as a juvenile offender, status offender or non-offender.
(e) Any changes in status (e.g., emergency situations, unusual incidents).
(f) Time of all safety checks.
(g) Any medical and other screening requested and completed (15 CCR 1142).
(h) Circumstances that justify any secure custody (Welfare and Institutions Code § 207.1(d); 15 CCR 1145).
(i) Any other information that may be required by other authorities, such as compliance inspectors or a local juvenile court authority.

The Watch Commander shall initial the log to approve the custody, including any secure custody, and shall also initial the log when the juvenile is released.

315.7 NO-CONTACT REQUIREMENTS
Sight and sound separation shall be maintained between all juveniles and adults while in custody at the Department (34 USC § 11133; Welfare and Institutions Code § 207.1(d); Welfare and Institutions Code § 208; 15 CCR 1144). There should also be sight and sound separation between non-offenders and juvenile and status offenders.

In situations where brief or accidental contact may occur (e.g., during the brief time a juvenile is being fingerprinted and/or photographed in booking), a member of the Pleasant Hill Police Department (trained in the supervision of persons in custody) shall maintain a constant, immediate, side-by-side presence with the juvenile or the adult to minimize any contact. If inadvertent or accidental contact does occur, reasonable efforts shall be taken to end the contact (15 CCR 1144).
315.7.1 DEATH OF A JUVENILE WHILE DETAINED
In the event of a juvenile's death while being detained at the Pleasant Hill Police Department, the District Attorney's Office and the Sheriff-Coroner's Office will conduct the investigation of the circumstances surrounding the death. The Support Services Division Commander or his/her designee will conduct an administrative review of the incident.

In any case in which a juvenile dies while detained at the Pleasant Hill Police Department, the following shall apply:

(a) The Chief of Police or his or her designee shall provide to the California Department of Corrections and Rehabilitation a copy of the report submitted to the Attorney General under Government Code § 12525. A copy of the report shall be submitted to the Department of Corrections and Rehabilitation within ten calendar days after the death.

(b) Upon receipt of a report of death of a juvenile from the Chief of Police or his or her designee, the Department of Corrections and Rehabilitation may within 30 calendar days inspect and evaluate the juvenile facility, jail, lockup or court holding facility pursuant to the provisions of Article 4, Title 15 California Code of Regulations § 1341. Any inquiry made by the Department of Corrections and Rehabilitation shall be limited to the standards and requirements set forth in these regulations.

(c) A medical and operational review of every in-custody death of a juvenile shall be conducted. The review team shall include the following:

1. Chief of Police or his or her designee
2. The health administrator
3. The responsible physician and other health care and supervision staff who are relevant to the incident

315.7.2 CURFEW VIOLATIONS
Juveniles detained for curfew violations (PHMC 9.30.010) may be released in the field or brought to the station but should only be released to their parent, legal guardian, or responsible adult.

Juveniles brought to the station will not be subjected to booking.

315.7.3 PROTECTIVE CUSTODY
Pursuant to Welfare and Institutions Code § 300 et seq., a child may be taken into protective custody if he/she is the victim of suspected child abuse. Before taking any minor into protective custody, the officer should make reasonable attempts to contact the appropriate child welfare authorities to ascertain any applicable history or current information concerning the minor.

Under certain circumstances, officers can be prohibited from taking a newborn who is the subject of a proposed adoption into protective custody, even when the newborn has tested positive for illegal drugs or the birth mother tested positive for illegal drugs. Officers shall instead follow the provisions of Welfare and Institutions Code § 305.6 to ensure that the newborn is placed with the adoptive parents when it is appropriate.
315.8 TEMPORARY CUSTODY REQUIREMENTS
Members and supervisors assigned to monitor or process any juvenile at the Pleasant Hill Police Department shall ensure the following:

(a) The Watch Commander should be notified if it is anticipated that a juvenile may need to remain at the Pleasant Hill Police Department more than four hours. This will enable the Watch Commander to ensure no juvenile is held at the Pleasant Hill Police Department more than six hours.

(b) A staff member of the same sex shall supervise personal hygiene activities and care, such as changing clothing or using the restroom, without direct observation to allow for privacy.

(c) Personal safety checks and significant incidents/activities shall be noted on the log.

(d) Juveniles in custody are informed that they will be monitored at all times, except when using the toilet.
   1. There shall be no viewing devices, such as peep holes or mirrors, of which the juvenile is not aware.
   2. This does not apply to surreptitious and legally obtained recorded interrogations.

(e) Juveniles shall have reasonable access to toilets and wash basins (15 CCR 1143).

(f) Food shall be provided if a juvenile has not eaten within the past four hours or is otherwise in need of nourishment, including any special diet required for the health of the juvenile (15 CCR 1143).

(g) Juveniles shall have reasonable access to a drinking fountain or water (15 CCR 1143).

(h) Juveniles shall have reasonable opportunities to stand and stretch, particularly if handcuffed or restrained in any way.

(i) Juveniles shall have privacy during family, guardian and/or lawyer visits (15 CCR 1143).

(j) Juveniles shall be permitted to remain in their personal clothing unless the clothing is taken as evidence or is otherwise unsuitable or inadequate for continued wear while in custody (15 CCR 1143).

(k) Blankets shall be provided as reasonably necessary (15 CCR 1143).
   1. The supervisor should ensure that there is an adequate supply of clean blankets.

(l) Adequate shelter, heat, light and ventilation should be provided without compromising security or enabling escape.

(m) Juveniles shall have adequate furnishings, including suitable chairs or benches.

(n) Juveniles shall have the right to the same number of telephone calls as an adult in temporary custody.

(o) No discipline may be administered to any juvenile, nor may juveniles be subjected to corporal or unusual punishment, humiliation or mental abuse (15 CCR 1142).
315.9 USE OF RESTRAINT DEVICES
Juvenile offenders may be handcuffed in accordance with the Handcuffing and Restraints Policy. A juvenile offender may be handcuffed at the Pleasant Hill Police Department when the juvenile presents a heightened risk. However, non-offenders and status offenders should not be handcuffed unless they are combative or threatening (15 CCR 1142).

Other restraints shall only be used after less restrictive measures have failed and with the approval of the Watch Commander. Restraints shall only be used so long as it reasonably appears necessary for the juvenile's protection or the protection of others (15 CCR 1142).

Juveniles in restraints shall be kept away from other unrestrained juveniles or monitored in such a way as to protect the juvenile from abuse (15 CCR 1142).

315.10 PERSONAL PROPERTY
The officer taking custody of a juvenile offender or status offender at the Pleasant Hill Police Department shall ensure a thorough search of the juvenile’s property is made and all property is removed from the juvenile, especially those items that could compromise safety, such as pens, pencils and belts.

The personal property of a juvenile should be placed in a property bag. The property should be inventoried in the juvenile’s presence and sealed into the bag. The property should be kept in a monitored or secure location until the juvenile is released from the custody of the Pleasant Hill Police Department.

315.11 SECURE CUSTODY
Only juvenile offenders 14 years of age or older may be placed in secure custody (Welfare and Institutions Code § 207; 15 CCR 1145). Watch Commander approval is required before placing a juvenile offender in secure custody.

Secure custody should only be used for juvenile offenders when there is a reasonable belief that the juvenile is a serious risk of harm to him/herself or others. Factors to be considered when determining if the juvenile offender presents a serious security risk to him/herself or others include the following (15 CCR 1145):

(a) Age, maturity and delinquent history
(b) Severity of offense for which the juvenile was taken into custody
(c) The juvenile offender’s behavior
(d) Availability of staff to provide adequate supervision or protection of the juvenile offender
(e) Age, type and number of other individuals in custody at the facility

Members of this department shall not use secure custody for convenience when non-secure custody is, or later becomes, a reasonable option (15 CCR 1145).
Temporary Custody of Juveniles

When practicable and when no locked enclosure is available, handcuffing one hand of a juvenile offender to a fixed object while otherwise maintaining the juvenile in non-secure custody should be considered as the method of secure custody. An employee must be present at all times to ensure the juvenile’s safety while secured to a stationary object (15 CCR 1148).

Juveniles shall not be secured to a stationary object for more than 60 minutes. Supervisor approval is required to secure a juvenile to a stationary object for longer than 60 minutes and every 30 minutes thereafter (15 CCR 1148). Supervisor approval should be documented.

The decision for securing a minor to a stationary object for longer than 60 minutes and every 30 minutes thereafter shall be based upon the best interests of the juvenile offender (15 CCR 1148).

315.11.1 LOCKED ENCLOSURES
A thorough inspection of the area shall be conducted before placing a juvenile into the enclosure. A second inspection shall be conducted after removing the juvenile. Any damage noted to the room should be photographed and documented in the crime report.

The following requirements shall apply to a juvenile offender who is held inside a locked enclosure:

(a) The juvenile shall constantly be monitored by an audio/video system during the entire custody.
(b) Juveniles shall have constant auditory access to department members (15 CCR 1147).
(c) Initial placement into and removal from a locked enclosure shall be logged (Welfare and Institutions Code § 207.1(d)).
(d) Unscheduled safety checks to provide for the health and welfare of the juvenile by a staff member, no less than once every 15 minutes, shall occur (15 CCR 1147; 15 CCR 1151).
   1. All safety checks shall be logged.
   2. The safety check should involve questioning the juvenile as to his/her well-being (sleeping juveniles or apparently sleeping juveniles should be awakened).
   3. Requests or concerns of the juvenile should be logged.
(e) Males and females shall not be placed in the same locked room (15 CCR 1147).
(f) Juvenile offenders should be separated according to severity of the crime (e.g., felony or misdemeanor).
(g) Restrained juveniles shall not be mixed in a cell or room with unrestrained juveniles.

315.12 SUICIDE ATTEMPT, DEATH OR SERIOUS INJURY OF A JUVENILE
The Watch Commander will ensure procedures are in place to address the suicide attempt, death or serious injury of any juvenile held at the Pleasant Hill Police Department (15 CCR 1142; 15 CCR 1047). The procedures will address:
Temporary Custody of Juveniles

(a) Immediate notification of the on-duty supervisor, Chief of Police and Support Services Division Supervisor.
(b) Notification of the parent, guardian or person standing in loco parentis, of the juvenile.
(c) Notification of the appropriate prosecutor.
(d) Notification of the City attorney.
(e) Notification to the coroner.
(f) Notification of the juvenile court.
(g) In the case of a death, providing a report to the Attorney General under Government Code § 12525 within 10 calendar days of the death, and forwarding the same report to the Board of State and Community Corrections within the same time frame (15 CCR 1046).
(h) A medical and operational review of deaths and suicide attempts pursuant to 15 CCR 1046.
(i) Evidence preservation.

315.13 INTERVIEWING OR INTERROGATING JUVENILE SUSPECTS
No interview or interrogation of a juvenile should occur unless the juvenile has the apparent capacity to consent, and does consent to an interview or interrogation.

Prior to conducting a custodial interrogation, including the waiver of Miranda rights, an officer shall permit a juvenile 15 years of age or younger to consult with legal counsel in person, by telephone or by video conference. The consultation may not be waived by the juvenile. The requirement to consult with legal counsel does not apply when (Welfare and Institutions Code § 625.6):

(a) Information is necessary to protect life or property from an imminent threat.
(b) The questions are limited to what is reasonably necessary to obtain the information relating to the threat.

315.13.1 MANDATORY RECORDINGS OF JUVENILES
Any interrogation of an individual under 18 years of age who is in custody and suspected of committing murder shall be audio and video recorded when the interview takes place at a department facility, jail, detention facility or other fixed place of detention. The recording shall include the entire interview and a Miranda advisement preceding the interrogation (Penal Code § 859.5).

This recording is not mandatory when (Penal Code § 859.5):

(a) Recording is not feasible because of exigent circumstances that are later documented in a report.
(b) The individual refuses to have the interrogation recorded, including a refusal any time during the interrogation, and the refusal is documented in a report. If feasible, the refusal shall be electronically recorded.
Temporary Custody of Juveniles

(c) The custodial interrogation occurred in another state by law enforcement officers of that state, unless the interrogation was conducted with the intent to avoid the requirements of Penal Code § 859.5.

(d) The interrogation occurs when no member conducting the interrogation has a reason to believe that the individual may have committed murder. Continued custodial interrogation concerning that offense shall be electronically recorded if the interrogating member develops a reason to believe the individual committed murder.

(e) The interrogation would disclose the identity of a confidential informant or would jeopardize the safety of an officer, the individual being interrogated or another individual. Such circumstances shall be documented in a report.

(f) A recording device fails despite reasonable maintenance and the timely repair or replacement is not feasible.

(g) The questions are part of a routine processing or booking, and are not an interrogation.

(h) The suspect is in custody for murder and the interrogation is unrelated to a murder. However, if any information concerning a murder is mentioned during the interrogation, the remainder of the interrogation shall be recorded.

These recordings shall be retained until a conviction is final and all direct and habeas corpus appeals are exhausted, a court no longer has any jurisdiction over the individual or the prosecution for that offense is barred (Penal Code § 859.5; Welfare and Institutions Code § 626.8).

315.14 FORMAL BOOKING

No juvenile offender shall be formally booked without the authorization of the arresting officer's supervisor, or in his/her absence, the Watch Commander.

Any juvenile, 14 years of age or older, who is taken into custody for a felony, or any juvenile whose acts amount to a sex crime, shall be booked, fingerprinted and photographed.

For all other acts defined as crimes, juveniles may be booked, fingerprinted or photographed upon the approval from the Watch Commander or Investigations supervisor, giving due consideration to the following:

(a) The gravity of the offense

(b) The past record of the offender

(c) The age of the offender

315.15 RELEASE OF INFORMATION CONCERNING JUVENILES

Court decisions and legislation have combined to carefully specify situations in which information may be given out or exchanged when a case involves a juvenile. Members of this department shall not divulge any information regarding juveniles unless they are certain of the legal authority to do so.

A copy of the current policy of the juvenile court concerning authorized release of information and appropriate acknowledgment forms shall be kept with copies of this procedure in the Pleasant...
Temporary Custody of Juveniles


Welfare and Institutions Code § 828 authorizes the release of certain information to other agencies. It shall be the responsibility of the Support Services Supervisor and the appropriate Investigations supervisors to ensure that personnel of those bureaus act within legal guidelines.

315.16 BOARD OF STATE AND COMMUNITY CORRECTIONS CERTIFICATION
The Operations Division Commander shall coordinate the procedures related to the custody of juveniles held at the Pleasant Hill Police Department and ensure any required certification is maintained (Welfare and Institution Code § 210.2).

315.17 RELIGIOUS ACCOMMODATION
Juveniles have the right to the same religious accommodation as adults in temporary custody (see the Temporary Custody of Adults Policy).
316.1 PURPOSE AND SCOPE
The purpose of this Policy is to provide uniform guidelines about the operation and function of the Youth Services Bureau (YSB) function. YSB is handled by an officer assigned to the Investigations Division.

316.2 POLICY
It is the policy of this Department that the Youth Services Bureau (YSB) will make dispositions on all juvenile cases where juveniles are arrested in Pleasant Hill, other than those who are booked directly into Juvenile Hall or reprimanded and released (R&R) by the officer. Officers will issue citations directly to YSB rather than to the Juvenile Probation Department, except in cases directly approved by a Watch Commander. Officers may include in the case report any recommendations for case dispositions.

316.3 PROCEDURE
YSB will receive cases in the following manner:

(a) YSB citations following arrests.

(b) Runaway juvenile reports for follow-up at the discretion of the Investigations Division Commander.

(c) Referrals from schools, parents, juvenile or other sources in the community.

316.3.1 YSB CITATION

(a) YSB will review the police report and do a records check with Juvenile Probation and the "home" police agency.

(b) An officer will evaluate if the case is appropriate for the YSB process. Examples of cases which may be inappropriate for YSB may include those situations involving violence against persons, complicated restitution, serious felonies, or where the juvenile is currently on probation. These cases may be cited directly to Juvenile Probation by YSB.

(c) YSB will make an appropriate disposition on all assigned cases. Juveniles will be held accountable for their behavior. Dispositions may include work details of various types, workshops or educational resources, or short-term counseling. If restitution is required, the juvenile and/or the family will be responsible for it.

(d) If the juvenile fails to complete his/her assignment, or if the juvenile or parent declines to cooperate with the YSB process, the case will be cited to Juvenile Probation by YSB. The juvenile and the parents have the option of choosing the Juvenile Probation process in lieu of YSB.
Adult Abuse

316.1 PURPOSE AND SCOPE
The purpose of this policy is to provide members of this department with direction and understanding of their role in the prevention, detection, and intervention in incidents of elder abuse. It is the policy of the Pleasant Hill Police Department to treat reports of violence against elderly persons as high priority criminal activity that is to be fully investigated regardless of the relationship between the victim and the suspect(s).

316.2 POLICY
The Pleasant Hill Police Department will investigate all reported incidents of alleged adult abuse and ensure proper reporting and notification as required by law.

316.3 DEFINITIONS
For purposes of this policy, the following definitions are provided (Welfare and Institutions Code § 15610 et seq. and Penal Code § 368).

**Dependent Adult** - Is any person residing in this state, between the ages of 18 and 64-years, who has physical or mental limitations that restrict his or her ability to carry out normal activities or to protect his or her rights including, but not limited to, persons who have physical or developmental disabilities or whose physical or mental abilities have diminished because of age. Dependent Adult includes any person between the ages of 18 and 64-years who is admitted as an inpatient to a 24-hour health facility, as defined In Health and Safety Code § 1250; Health and Safety Code § 1250.2; Health and Safety Code § 1250.3; Welfare and Institutions Code § 15610.23.

**Elder** - Is any person residing in this state, 65-years of age or older.

**Financial Abuse** - Is a situation in which any person who has the care or custody of, or who stands in a position of trust to, an elder or a dependent adult, takes, secretes, or appropriates their money or property to any use or purposes not in the due and lawful execution of his or her trust.

**Abuse of an Elder or a Dependent Adult** - Is physical abuse, neglect, financial abuse, abandonment, isolation or other treatment with resulting physical harm, pain, mental suffering, or the deprivation by a care custodian of goods or services that are necessary to avoid physical harm or mental suffering.

**Adult Protective Services Agency** - Is a county welfare department, except persons who do not work directly with elders or dependent adults as part of their official duties, including members of support staff and maintenance staff.

**Neglect** - Is the negligent failure of any person having the care or custody of an elder or a dependent adult to exercise that degree of care which a reasonable person in a like position would exercise. Neglect includes, but is not limited to, all of the following:
**Adult Abuse**

(a) Failure to assist in personal hygiene, or in the provision of food, clothing, or shelter.

(b) Failure to provide medical care for physical and mental health needs. No person shall be deemed neglected or abused for the sole reason that he or she voluntarily relies on treatment by spiritual means through prayer alone instead of medical treatment.

**316.4 MANDATORY REPORTING REQUIREMENTS**

Members of the Pleasant Hill Police Department are mandated reporters. Employees who observe, have knowledge of, or are told by an elder or dependant adult about any form of abuse (physical abuse, abandonment, abduction, isolation, financial abuse, neglect) shall make a report and notify the appropriate social services representative as soon as practicable (see Welfare & Institutions Code § 15630 for reporting details). Failure to make a report within two working days is a misdemeanor (Welfare and Institution Code § 15630(h)).

The Investigations Division Commander or designee is responsible to ensure that cases of suspected elder abuse are forwarded to the District Attorney's Office and any other regulatory agency that may be applicable based upon where the abuse took place (care facility, hospital) per Welfare and Institution Code § 15630(b).

**316.4.1 SUPPORT SERVICES DIVISION RESPONSIBILITY**

The Support Services Division is responsible for the following:

(a) Provide a copy of the elder/dependent abuse report to Adult Protective Services. This requirement is applicable even if the initial call was received from Adult Protective Services.

(b) Retain the original elder/dependent abuse report with the initial case file.

**316.5 OFFICER'S RESPONSE**

All incidents involving actual or suspected elder and dependent abuse shall be fully investigated and appropriately documented.

**316.5.1 INITIAL RESPONSE**

Officers may be called upon to effect a forced entry as the first responder to the scene of a suspected elder abuse. Entry should be immediate when it appears reasonably necessary to protect life or property. When the need for an emergency entry is not evident, officers should seek supervisory approval. Officers must be prepared to provide emergency care pending the arrival of medical personnel, if not already present.

**316.5.2 STABILIZE THE SITUATION**

Officers must quickly assess the situation in an effort to ensure the immediate safety of all persons. Officers shall also consider taking the following actions:

(a) Attempt to identify the victim, suspect and witnesses as well as the roles and relationships of all parties. Parties should be interviewed separately when possible.
(b) Preserve the crime scene where evidence may be present. All persons should be removed from the scene until it has been photographed and processed. Any evidence that may change in appearance, injuries for example, should be photographed as soon as practicable.

(c) Assess and define the nature of the problem. Officers should assess the available information to determine the type of abuse that may have taken place or the potential for abuse in the future that may be eliminated by intervention.

(d) Make on-scene arrests when appropriate. Officers may arrest a person without a warrant when probable cause exists to believe that the person has committed an assault or battery, whether or not the assault or battery has in fact been committed, upon a victim 65 years of age or older to whom the suspect is related by blood or legal guardianship, provided the arrest is made at the time probable cause arises (Penal Code § 836). If an arrest is not otherwise required by law, officers should consider the consequences that the immediate arrest of a sole supporting family caretaker might have on the victim. The decision to arrest should be based on the best interests and caretaking needs of the elderly victim. The present and future safety of the victim is of utmost importance.

316.5.3 SUPPORT PERSONNEL
The following person(s) should be considered if it appears an in-depth investigation is appropriate:

- Patrol Supervisor
- Detective personnel
- Evidence collection personnel
- Protective Services Agency personnel
- Ombudsman shall be called if the abuse is in a long-term care facility

316.5.4 EMERGENCY PROTECTIVE ORDERS
In any situation which an officer reasonably believes that an elder or dependant adult is in immediate and present danger of abuse based on an allegation of a recent incident of abuse or threat of abuse (other than financial abuse alone), the officer may seek an emergency protective order against the person alleged to have committed or threatened such abuse (Family Code § 6250(d)).

316.6 ELDER ABUSE REPORTING
Every allegation of elder abuse shall be documented. When documenting elder/dependent abuse cases the following information should also be included in the report:

- Current location of the victim
- Victim's condition/nature and extent of injuries, neglect or loss
Adult Abuse

- Names of agencies and personnel requested and on scene

Reporting of cases of elder/dependent abuse is confidential and will only be released as per Policy Manual § 810.

Officers investigating elder/dependent abuse shall complete State of California form SOC 341 (Report of Suspected Dependent Adult/Elder Abuse).

316.7 INVESTIGATIONS AND REPORTING

All reported or suspected cases of adult abuse require investigation and a report, even if the allegations appear unfounded or unsubstantiated.

Investigations and reports related to suspected cases of adult abuse should address, as applicable:

(a) The overall basis for the contact. This should be done by the investigating officer in all circumstances where a suspected adult abuse victim is contacted.

(b) Any relevant statements the victim may have made and to whom he/she made the statements.

(c) If a person is taken into protective custody, the reasons, the name and title of the person making the decision, and why other alternatives were not appropriate.

(d) Documentation of any visible injuries or any injuries identified by the victim. This should include photographs of such injuries, if practicable.

(e) Whether the victim was transported for medical treatment or a medical examination.

(f) Whether the victim identified a household member as the alleged perpetrator, and a list of the names of any other potential victims or witnesses who may reside in the residence.

(g) Identification of any prior related reports or allegations of abuse, including other jurisdictions, as reasonably known.

(h) Previous addresses of the victim and suspect.

(i) Other potential witnesses who have not yet been interviewed, such as relatives or others close to the victim’s environment.

(j) Results of investigations shall be provided to those agencies (Adult Protective Services (APS), long-term ombudsman) that referred or reported the adult abuse (Welfare and Institutions Code § 15640(f)).

(k) Whether a death involved the End of Life Option Act:

   1. Whether or not assistance was provided to the person beyond that allowed by law (Health and Safety Code § 443.14)

   2. Whether an individual knowingly altered or forged a request for an aid-in-dying drug to end a person’s life without his/her authorization, or concealed or destroyed a withdrawal or rescission of a request for an aid-in-dying drug (Health and Safety Code § 443.17)
3. Whether coercion or undue influence was exerted on the person to request or ingest an aid-in-dying drug or to destroy a withdrawal or rescission of a request for such medication (Health and Safety Code § 443.17)

4. Whether an aid-in-dying drug was administered to a person without his/her knowledge or consent (Health and Safety Code § 443.17).

Any unexplained death of an adult who was in the care of a guardian or caretaker should be considered as potential adult abuse and investigated similarly.

316.8 INVESTIGATORS

Investigators should be available to investigate cases of adult abuse. These investigators should:

(a) Conduct interviews in appropriate interview facilities.

(b) Be familiar with forensic interview techniques specific to adult abuse investigations.

(c) Present all cases of alleged adult abuse to the prosecutor for review.

(d) Coordinate with other enforcement agencies, social service agencies and facility administrators as needed.

(e) Provide referrals to therapy services, victim advocates, guardians and support for the victim and family as appropriate.

(f) Participate in or coordinate with multidisciplinary investigative teams as applicable (Welfare and Institutions Code § 15610.55).

316.9 MANDATORY NOTIFICATION

Members of the Pleasant Hill Police Department shall notify the local office of the California Department of Social Services (CDSS) APS agency when they reasonably suspect, have observed or have knowledge of an incident that reasonably appears to be abuse of an elder (age 65 or older) or dependent adult, or are told by an elder or dependent adult that he/she has experienced abuse (Welfare and Institutions Code § 15630(b)).

Notification shall be made by telephone as soon as practicable and a written report shall be provided within two working days as provided in Welfare and Institutions Code § 15630(b)(c)).

A dependent adult is an individual, between 18 and 64 years of age, who has physical or mental limitations that restrict his/her ability to carry out normal activities or to protect his/her rights including, but not limited to, persons who have physical or developmental disabilities or whose physical or mental abilities have diminished because of age. This also includes those admitted as inpatients to a 24-hour health facility, as defined in state law (Welfare and Institutions Code § 15610.23).

For purposes of notification, abuse is physical abuse, abandonment, abduction, isolation, financial abuse or neglect. Physical abuse includes any assault or sex crime (Welfare and Institutions Code § 15610.63). Financial abuse includes taking personal or real property by undue influence or intent to defraud (Welfare and Institutions Code § 15610.30).
Notification shall also be made to the following agencies as soon as practicable or as provided below (Welfare and Institutions Code § 15630):

(a) If the abuse is physical abuse and occurred in a long-term care facility (not a state mental health hospital or a state developmental center) notification shall be made as follows (Welfare and Institutions Code § 15630(b)(1)):

1. If there is serious bodily injury, notification shall be made by telephone and, within two hours, a written report shall be made to the local ombudsman and the corresponding licensing agency.

2. If there is physical abuse and no serious bodily injury, notification shall be made by telephone and, within 24 hours, a written report shall be made to the local ombudsman and the corresponding licensing agency.

3. If the abuse is allegedly caused by a resident with dementia and there is no serious bodily injury, notification shall be made by telephone and a written report to the local ombudsman within 24 hours.

4. When a report of abuse is received by the department, local ombudsman shall be called to coordinate efforts to provide the most immediate and appropriate response (Welfare and Institutions Code § 15630(b)).

(b) If the abuse is in a long-term care facility (not a state mental health or a state developmental center) and is other than physical abuse, a telephone report and a written report shall be made to the local ombudsman as soon as practicable (Welfare and Institutions Code § 15630(b)).

(c) The California Department of Public Health (DPH) shall be notified of all known or suspected abuse in a long-term care facility.

(d) The SDSS shall be notified of all known or suspected abuse occurring in a residential care facility for the elderly or in an adult day program.

(e) If the abuse occurred in an adult day health care center, DPH and the California Department of Aging shall be notified.

(f) The Bureau of Medi-Cal Fraud and Elder Abuse shall be notified of all abuse that constitutes criminal activity in a long-term care facility.

(g) The District Attorney’s office shall be notified of all cases of physical abuse and financial abuse in a long-term care facility.

(h) If the abuse occurred at a state mental hospital or a state developmental center, notification shall be made to the designated investigators of the California Department of State Hospitals or the California Department of Developmental Services as soon as practicable but no later than two hours after law enforcement becomes aware of the abuse (Welfare and Institutions Code § 15630(b)).

1. When a report of abuse is received by the department, Investigation efforts shall be coordinated with the designated investigators of the California Department of State Hospitals or the California Department of Developmental Services (Welfare and Institutions Code § 15630(b)).
Adopt Abuse

(i) If during an investigation it is determined that the adult abuse is being committed by a licensed health practitioner as identified in Welfare and Institutions Code 15640(b), the appropriate licensing agency shall be immediately notified (Welfare and Institutions Code 15640(b)).

(j) When the department receives a report of abuse, neglect or abandonment of an elder or dependent adult alleged to have occurred in a long-term care facility, the licensing agency shall be notified by telephone as soon as practicable (Welfare and Institutions Code § 15640(e)).

The Investigations supervisor is responsible for ensuring that proper notifications have occurred to the District Attorney’s Office and any other regulatory agency that may be applicable based upon where the abuse took place (e.g., care facility, hospital) per Welfare and Institutions Code § 15630(b).

Notification is not required for a person who was merely present when a person self-administered a prescribed aid-in-dying drug or a person prepared an aid-in-dying drug so long as the person did not assist the individual in ingesting the aid-in-dying drug (Health and Safety Code § 443.14; Health and Safety Code § 443.18).

316.9.1 NOTIFICATION PROCEDURE

Notification should include the following information, if known (Welfare and Institutions Code § 15630(e)):

(a) The name of the person making the report.

(b) The name and age of the elder or dependent adult.

(c) The present location of the elder or dependent adult.

(d) The names and addresses of family members or any other adult responsible for the care of the elder or dependent adult.

(e) The nature and extent of the condition of the elder or dependent adult.

(f) The date of incident.

(g) Any other information, including information that led the person to suspect elder or dependent adult abuse.

316.10 PROTECTIVE CUSTODY

Before taking an adult abuse victim into protective custody when facts indicate the adult may not be able to care for him/herself, the officer should make reasonable attempts to contact APS. Generally, removal of an adult abuse victim from his/her family, guardian or other responsible adult should be left to the welfare authorities when they are present or have become involved in an investigation.

Generally, members of this department should remove an adult abuse victim from his/her family or guardian without a court order only when no other effective alternative is reasonably available and immediate action reasonably appears necessary to protect the victim. Prior to taking an adult abuse victim into protective custody, the officer should take reasonable steps to deliver the adult
Adult Abuse

to another qualified legal guardian, unless it reasonably appears that the release would endanger the victim or result in abduction. If this is not a reasonable option, the officer shall ensure that the adult is delivered to APS.

Whenever practicable, the officer should inform a supervisor of the circumstances prior to taking an adult abuse victim into protective custody. If prior notification is not practicable, officers should contact a supervisor promptly after taking the adult into protective custody.

When adult abuse victims are under state control, have a state-appointed guardian or there are other legal holdings for guardianship, it may be necessary or reasonable to seek a court order on behalf of the adult victim to either remove the adult from a dangerous environment (protective custody) or restrain a person from contact with the adult.

316.10.1 EMERGENCY PROTECTIVE ORDERS
In any situation which an officer reasonably believes that an elder or dependent adult is in immediate and present danger of abuse based on an allegation of a recent incident of abuse or threat of abuse (other than financial abuse alone), the officer may seek an emergency protective order against the person alleged to have committed or threatened such abuse (Family Code § 6250(d)).

316.11 INTERVIEWS

316.11.1 PRELIMINARY INTERVIEWS
Absent extenuating circumstances or impracticality, officers should audio record the preliminary interview with a suspected adult abuse victim. Officers should avoid multiple interviews with the victim and should attempt to gather only the information necessary to begin an investigation. When practicable, investigating officers should defer interviews until a person who is specially trained in such interviews is available.

316.11.2 DETAINING VICTIMS FOR INTERVIEWS
An officer should not detain an adult involuntarily who is suspected of being a victim of abuse solely for the purpose of an interview or physical exam without his/her consent or the consent of a guardian unless one of the following applies:

(a) Existent circumstances exist, such as:
   1. A reasonable belief that medical issues of the adult need to be addressed immediately.
   2. A reasonable belief that the adult is or will be in danger of harm if the interview or physical exam is not immediately completed.
   3. The alleged offender is a family member or guardian and there is reason to believe the adult may be in continued danger.

(b) A court order or warrant has been issued.
Adult Abuse

316.12 MEDICAL EXAMINATIONS
When an adult abuse investigation requires a medical examination, the investigating officer should obtain consent for such examination from the victim, guardian, agency or entity having legal custody of the adult. The officer should also arrange for the adult’s transportation to the appropriate medical facility.

In cases where the alleged offender is a family member, guardian, agency or entity having legal custody and is refusing to give consent for the medical examination, officers should notify a supervisor before proceeding. If exigent circumstances do not exist or if state law does not provide for officers to take the adult for a medical examination, the supervisor should consider other government agencies or services that may obtain a court order for such an examination.

316.13 DRUG-ENDANGERED VICTIMS
A coordinated response by law enforcement and social services agencies is appropriate to meet the immediate and longer-term medical and safety needs of an adult abuse victim who has been exposed to the manufacturing, trafficking or use of narcotics.

316.14 STATE MANDATES AND OTHER RELEVANT LAWS
California requires or permits the following:

316.14.1 SUPPORT SERVICES DIVISION RESPONSIBILITIES
The Support Services Division is responsible for:

(a) Providing a copy of the adult abuse report to the APS, ombudsman or other agency as applicable within two working days or as required by law (Welfare and Institutions Code § 15630; Welfare and Institutions Code § 15640(c)).

(b) Retaining the original adult abuse report with the initial case file.
Private Patrol Service

317.1 PURPOSE AND SCOPE
This policy establishes a procedure for the registration of private patrol service agencies and agents by this Department.

317.2 POLICY
In compliance with Business and Professions Code § 7523(c) and the Pleasant Hill Municipal Code, it is the policy of this Department that all agencies and persons desiring to provide private patrol services within the City limits will register with the Pleasant Hill Police Department.

317.3 PROCEDURES
Whenever a private patrol agent requests registration with this Department, the employee handling the registration will:

(a) Obtain a registration form and have the applicant complete it.

(b) Draw an event using the classification of "FING" and place all of the required information on the event.

(c) Make a copy of the applicant's state license and any permits the applicant has:
   1. Weapons permit.
   2. Chemical agent permit.

(d) Forward all of the above along with the completed registration form to the Investigations Division for processing.

(e) There is no fee for this service.
Child Abuse

318.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines for the investigation of suspected child abuse. This policy also addresses when Pleasant Hill Police Department members are required to notify the Contra Costa County Child and Family Services (CFS) of suspected child abuse.

318.1.1 DEFINITIONS
Definitions related to this policy include:

Child - Unless otherwise specified by a cited statute, a child is any person under the age of 18 years.

Child abuse - Any offense or attempted offense involving violence or neglect with a child victim when committed by a person responsible for the child’s care or any other act that would mandate notification to a social service agency or law enforcement (Penal Code § 11165.9; Penal Code § 11166).

318.2 POLICY
The Pleasant Hill Police Department will investigate all reported incidents of alleged criminal child abuse and ensure CFS is notified as required by law.

318.3 MANDATORY NOTIFICATION
The child protection agency shall be notified when (Penal Code § 11166):

(a) There is a known or suspected instance of child abuse or neglect reported, which is alleged to have occurred as a result of the action of a person responsible for the child’s welfare, or

(b) A person responsible for the child’s welfare fails to adequately protect the child from abuse when the person knew or reasonably should have known that the child was in danger of abuse.

The District Attorney’s office shall be notified in all instances of known or suspected child abuse or neglect reported to this department. Reports only involving neglect by a person, who has the care or custody of a child, to provide adequate food, clothing, shelter, medical care or supervision where no physical injury to the child has occurred should not be reported to the District Attorney (Penal Code § 11166).

When the abuse or neglect occurs at a licensed facility or is alleged to have resulted from the actions of a person who is required to have a state license (e.g., foster homes, group homes, day care), notification shall also be made to the California Department of Social Services or other applicable licensing authority (Penal Code 11166.1; Penal Code 11166.2).

For purposes of notification, the abuse or neglect includes physical injury or death inflicted by other than accidental means upon a child by another person; sexual abuse (Penal Code § 11165.1);
neglect (Penal Code § 11165.2); the willful harming or injuring of a child or the endangering of the person or health of a child (Penal Code § 11165.3); and unlawful corporal punishment or injury (Penal Code § 11165.4). Child abuse or neglect does not include a mutual affray between minors, nor does it include an injury caused by the reasonable and necessary force used by a peace officer acting within the course and scope of his/her employment as a peace officer.

318.3.1 NOTIFICATION PROCEDURE
Notification should occur as follows (Penal Code § 11166):

(a) Notification to CFS shall be made immediately, or as soon as practicably possible, by telephone, fax or electronic transmission.

(b) A written follow-up report is forwarded to CFS within 36 hours of receiving the information concerning the incident.

318.4 QUALIFIED INVESTIGATORS
Qualified investigators should be available for child abuse investigations. These investigators should:

(a) Conduct interviews in child appropriate interview facilities.

(b) Be familiar with forensic interview techniques specific to child abuse investigations.

(c) Present all cases of alleged child abuse to the prosecutor for review.

(d) Coordinate with other enforcement agencies, social service agencies and school administrators as needed.

(e) Provide referrals to therapy services, victim advocates, guardians and support for the child and family as appropriate.

(f) Participate in or coordinate with multidisciplinary investigative teams as applicable (Welfare and Institutions Code § 18961.7).

318.5 INVESTIGATIONS AND REPORTING
In all reported or suspected cases of child abuse, a report will be written. Officers shall write a report even if the allegations appear unfounded or unsubstantiated.

Investigations and reports related to suspected cases of child abuse should address, as applicable:

(a) The overall basis for the contact. This should be done by the investigating officer in all circumstances where a suspected child abuse victim was contacted.

(b) The exigent circumstances that existed if officers interviewed the child victim without the presence of a parent or guardian.
(c) Any relevant statements the child may have made and to whom he/she made the statements.

(d) If a child was taken into protective custody, the reasons, the name and title of the person making the decision, and why other alternatives were not appropriate.

(e) Documentation of any visible injuries or any injuries identified by the child. This should include photographs of such injuries, if practicable.

(f) Whether the child victim was transported for medical treatment or a medical examination.

(g) Whether the victim identified a household member as the alleged perpetrator, and a list of the names of any other children who may reside in the residence.

(h) Identification of any prior related reports or allegations of child abuse, including other jurisdictions, as reasonably known.

(i) Previous addresses of the victim and suspect.

(j) Other potential witnesses who have not yet been interviewed, such as relatives or others close to the victim’s environment.

All cases of the unexplained death of a child should be investigated as thoroughly as if it had been a case of suspected child abuse (e.g., a sudden or unexplained death of an infant).

318.5.1 EXTRA JURISDICTIONAL REPORTS
If a report of known or suspected child abuse or neglect that is alleged to have occurred outside this jurisdiction is received, department members shall ensure that the caller is immediately transferred to the agency with proper jurisdiction for the investigation of the case. If the caller cannot be successfully transferred to the appropriate agency, a report shall be taken and immediately referred by telephone, fax or electronic transfer to the agency with proper jurisdiction (Penal Code 11165.9).

318.6 PROTECTIVE CUSTODY
Before taking any child into protective custody, the officer should make reasonable attempts to contact CFS. Generally, removal of a child from his/her family, guardian or other responsible adult should be left to the child welfare authorities when they are present or have become involved in an investigation.

Generally, members of this department should remove a child from his/her parent or guardian without a court order only when no other effective alternative is reasonably available and immediate action reasonably appears necessary to protect the child. Prior to taking a child into protective custody, the officer should take reasonable steps to deliver the child to another qualified parent or legal guardian, unless it reasonably appears that the release would endanger the child or result in abduction. If this is not a reasonable option, the officer shall ensure that the child is delivered to CFS.
Whenever practicable, the officer should inform a supervisor of the circumstances prior to taking a child into protective custody. If prior notification is not practicable, officers should contact a supervisor promptly after taking a child into protective custody.

Children may only be removed from a parent or guardian in the following situations when a court order cannot reasonably be obtained in a timely manner (Welfare and Institutions Code § 305):

(a) The officer reasonably believes the child is a person described in Welfare and Institutions Code § 300, or a commercially exploited child under Penal Code § 647 and Penal Code § 653.22, and further has good cause to believe that any of the following conditions exist:

1. The child has an immediate need for medical care.
2. The child is in immediate danger of physical or sexual abuse.
3. The physical environment or the fact that the child is left unattended poses an immediate threat to the child’s health or safety. In the case of a child left unattended, the officer shall first attempt to locate and determine if a responsible parent or guardian is available and capable of assuming custody before taking the child into protective custody.

(b) The officer reasonably believes the child requires protective custody under the provisions of Penal Code § 279.6, in one of the following circumstances:

1. It reasonably appears to the officer that a person is likely to conceal the child, flee the jurisdiction with the child or, by flight or concealment, evade the authority of the court.
2. There is no lawful custodian available to take custody of the child.
3. There are conflicting custody orders or conflicting claims to custody and the parties cannot agree which party should take custody of the child.
4. The child is an abducted child.

(c) The child is in the company of, or under the control of, a person arrested for Penal Code § 278 (Detainment or concealment of child from legal custodian) or Penal Code § 278.5 (Deprivation of custody of a child or right to visitation) (Penal Code § 279.6).

A child taken into protective custody shall be delivered to CFS unless otherwise directed by court order.

318.6.1 CALIFORNIA SAFELY SURRENDERED BABY LAW
An individual having lawful custody of an infant less than 72 hours old is not guilty of abandonment if the individual voluntarily surrenders physical custody of the infant to personnel on-duty at a safe-surrender site, such as a hospital or fire department (Penal Code § 271.5). The law requires the surrender site to notify CFS.
Child Abuse

318.6.2 NEWBORNS TESTING POSITIVE FOR DRUGS
Under certain circumstances, officers can be prohibited from taking a newborn who is the subject of a proposed adoption into protective custody, even when the newborn has tested positive for illegal drugs or the birth mother tested positive for illegal drugs.

Officers shall instead follow the provisions of Welfare and Institutions Code § 305.6 to ensure that the newborn is placed with the adoptive parents when it is appropriate.

318.7 INTERVIEWS

318.7.1 PRELIMINARY INTERVIEWS
Absent extenuating circumstances or impracticality, officers should record the preliminary interview with suspected child abuse victims.

Officers should avoid multiple interviews with a child victim and should attempt to gather only the information necessary to begin an investigation. When practicable, investigating officers should defer interviews until a person who is specially trained in such interviews is available.

Generally, child victims should not be interviewed in the home or location where the alleged abuse occurred.

318.7.2 DETAINING SUSPECTED CHILD ABUSE VICTIMS FOR AN INTERVIEW
An officer should not detain a child involuntarily who is suspected of being a victim of child abuse solely for the purpose of an interview or physical exam without the consent of a parent or guardian unless one of the following applies:

(a) Exigent circumstances exist, such as:
   1. A reasonable belief that medical issues of the child need to be addressed immediately.
   2. A reasonable belief that the child is or will be in danger of harm if the interview or physical exam is not immediately completed.
   3. The alleged offender is the custodial parent or guardian and there is reason to believe the child may be in continued danger.

(b) A court order or warrant has been issued.

318.7.3 INTERVIEWS AT A SCHOOL
Any student at school who is a suspected victim of child abuse shall be afforded the option of being interviewed in private or selecting any qualified available adult member of the school staff to be present. The purpose of the staff member’s presence is to provide comfort and support. The staff member shall not participate in the interview. The selection of a staff member should be such that it does not burden the school with costs or hardship (Penal Code § 11174.3).
318.8 MEDICAL EXAMINATIONS
If the child has been the victim of abuse that requires a medical examination, the investigating officer should obtain consent for such examination from the appropriate parent, guardian or agency having legal custody of the child. The officer should also arrange for the child’s transportation to the appropriate medical facility.

In cases where the alleged offender is the custodial parent or guardian and is refusing consent for the medical examination, officers should notify a supervisor before proceeding. If exigent circumstances do not exist or if state law does not provide for officers to take the child for a medical examination, the notified supervisor should consider obtaining a court order for such an examination.

318.9 DRUG-ENDANGERED CHILDREN
A coordinated response by law enforcement and social services agencies is appropriate to meet the immediate and longer-term medical and safety needs of children exposed to the manufacturing, trafficking or use of narcotics.

318.9.1 SUPERVISOR RESPONSIBILITIES
The Investigation’s Division supervisor should:

(a) Activate available interagency responses when an officer notifies the Investigation’s Division supervisor that the officer has responded to a drug lab or other narcotics crime scene where a child is present or where evidence indicates that a child lives there.

318.9.2 OFFICER RESPONSIBILITIES
Officers responding to a drug lab or other narcotics crime scene where a child is present or where there is evidence that a child lives should:

(a) Document the environmental, medical, social and other conditions of the child using photography as appropriate.
(b) Notify the Investigation’s Division supervisor so an interagency response can begin.

318.10 STATE MANDATES AND OTHER RELEVANT LAWS
California requires or permits the following:

318.10.1 RELEASE OF REPORTS
Information related to incidents of child abuse or suspected child abuse shall be confidential and may only be disclosed pursuant to state law and the Records Maintenance and Release Policy (Penal Code 841.5; Penal Code § 11167.5).

318.10.2 REQUESTS FOR REMOVAL FROM THE CHILD ABUSE CENTRAL INDEX (CACI)
Any person whose name has been forwarded to the California Department of Justice (DOJ) for placement in California’s CACI, as a result of an investigation, may request that his/her name
be removed from the CACI list. Requests shall not qualify for consideration if there is an active case, ongoing investigation or pending prosecution that precipitated the entry to CACI (Penal Code § 11169). All requests for removal shall be submitted in writing by the requesting person and promptly routed to the CACI hearing officer.

318.10.3 CACI HEARING OFFICER
The Support Services Division Commander will normally serve as the hearing officer but must not be actively connected with the case that resulted in the person’s name being submitted to CACI. Upon receiving a qualified request for removal, the hearing officer shall promptly schedule a hearing to take place during normal business hours and provide written notification of the time and place of the hearing to the requesting party.

318.10.4 CACI HEARING PROCEDURES
The hearing is an informal process where the person requesting removal from the CACI list will be permitted to present relevant evidence (e.g., certified copy of an acquittal, factual finding of innocence) as to why his/her name should be removed. The person requesting the hearing may record the hearing at his/her own expense.

Formal rules of evidence will not apply and the hearing officer may consider, in addition to evidence submitted by the person requesting the hearing, any relevant information including, but not limited to, the following:

(a) Case reports including any supplemental reports
(b) Statements by investigators
(c) Statements from representatives of the District Attorney’s Office
(d) Statements by representatives of a child protective agency who may be familiar with the case

After considering all information presented, the hearing officer shall make a determination as to whether the requesting party’s name should be removed from the CACI list. Such determination shall be based on a finding that the allegations in the investigation are not substantiated (Penal Code § 11169).

If, after considering the evidence, the hearing officer finds that the allegations are not substantiated, he/she shall cause a request to be completed and forwarded to the DOJ that the person’s name be removed from the CACI list. A copy of the hearing results and the request for removal will be attached to the case reports.

The findings of the hearing officer shall be considered final and binding.

318.10.5 CHILD DEATH REVIEW TEAM
This department should cooperate with any interagency child death review team investigation. Written and oral information relating to the death of a child that would otherwise
Child Abuse

be subject to release restrictions may be disclosed to the child death review team upon written request and approval of a supervisor (Penal Code § 11174.32).
Terrorism Reporting

319.1 PURPOSE AND SCOPE
This policy establishes procedures for Patrol Division personnel to follow regarding access to databases related to terrorism and terrorists.

The California Office of Homeland Security, California Highway Patrol, and the FBI Counter Terrorism Watch have joined together to provide local law enforcement agencies with direct and timely access to FBI and other Federal databases related to terrorism. Access to the databases is intended for officers in the field who encounter persons or situations related to terrorism or potential terrorism.

319.2 PROCEDURE
The databases will be accessed by a telephone call to the California State Warning Center (CSWC) at (916) 255-5238 or 5239. The CSWC and the terrorism databases are available 24 hours daily on all days of the year at those numbers. Personnel placing a telephone call to the CSWC regarding terrorism will be asked for verification of their law enforcement status, the agency ORI (CA0070900), and a call back number. Depending upon the circumstances, the request will be classified as requiring a routine or immediate response from the FBI Counter Terrorism Watch.

In any event, once the information/request has been forwarded to the FBI, various Federal databases will be searched in an effort to determine if a person, telephone number, or address is "of interest". The FBI Counter Terrorism unit will provide guidance on courses of action and all information will be forwarded to the FBI Joint Terrorism Task Force for possible further action.

Calls to the CSWC should be made with the Watch Commander's approval and involvement. Department personnel also access the national Terrorist Screening Center through NCIC checks.

319.3 TERRORISM LIAISON
The sergeant assigned to the Investigations Division will serve as the Department Terrorism Liaison Officer (TLO). The TLO is responsible for the following:

- Attendance at regular TLO meetings.
- Coordination of the receipt and forwarding of information to the East Bay Terrorism Early Warning Group (EBTEWG).
- Attendance at EBTEWG meetings.
- Distribution of terrorism related information to Department personnel.
- Other related duties as assigned.
Missing Persons

320.1 PURPOSE AND SCOPE
This policy provides guidance for handling missing person investigations.

320.1.1 DEFINITIONS
At risk - Includes, but is not limited to (Penal Code § 14215):

- A victim of a crime or foul play.
- A person missing and in need of medical attention.
- A missing person with no pattern of running away or disappearing.
- A missing person who may be the victim of parental abduction.
- A mentally impaired missing person, including cognitively impaired or developmentally disabled.

Missing person - Any person who is reported missing to law enforcement when the person’s location is unknown. This includes a child who has been taken, detained, concealed, enticed away or kept by a parent in violation of the law (Penal Code § 277 et seq.). It also includes any child who is missing voluntarily, involuntarily or under circumstances that do not conform to his/her ordinary habits or behavior, and who may be in need of assistance (Penal Code § 14215).

Missing person networks - Databases or computer networks available to law enforcement and that are suitable for information related to missing persons investigations. These include the National Crime Information Center (NCIC), the California Law Enforcement Telecommunications System (CLETS), Missing Person System (MPS) and the Unidentified Persons System (UPS).

320.2 POLICY
The Pleasant Hill Police Department does not consider any report of a missing person to be routine and assumes that the missing person is in need of immediate assistance until an investigation reveals otherwise. The Pleasant Hill Police Department gives missing person cases priority over property-related cases and will not require any time frame to pass before beginning a missing person investigation (Penal Code § 14211).

320.3 REQUIRED FORMS AND BIOLOGICAL SAMPLE COLLECTION KITS
The Support Services supervisor should ensure the forms and kits are developed and available in accordance with this policy, state law, federal law and the California Peace Officer Standards and Training (POST) Missing Persons Investigations guidelines, including:

- Department report form for use in missing person cases
- Missing person investigation checklist that provides investigation guidelines and resources that could be helpful in the early hours of a missing person investigation (Penal Code § 13519.07)
Missing Persons

- Missing person school notification form
- Medical records release form from the California Department of Justice
- California DOJ missing person forms as appropriate
- Biological sample collection kits

320.4 ACCEPTANCE OF REPORTS

Any member encountering a person who wishes to report a missing person or runaway shall render assistance without delay (Penal Code § 14211). This can be accomplished by accepting the report via telephone or in-person and initiating the investigation. Those members who do not take such reports or who are unable to render immediate assistance shall promptly dispatch or alert a member who can take the report.

A report shall be accepted in all cases and regardless of where the person was last seen, where the person resides or any other question of jurisdiction (Penal Code § 14211).

320.5 INITIAL INVESTIGATION

Officers or other members conducting the initial investigation of a missing person should take the following investigative actions, as applicable:

(a) Respond to a dispatched call for service as soon as practicable.

(b) Interview the reporting party and any witnesses to determine whether the person qualifies as a missing person and, if so, whether the person may be at risk.

(c) Notify a supervisor immediately if there is evidence that a missing person is either at risk or may qualify for a public alert, or both (see the Public Alerts Policy).

(d) Broadcast a "Be on the Look-Out" (BOLO) bulletin if the person is under 21 years of age or there is evidence that the missing person is at risk. The BOLO should be broadcast as soon as practicable but in no event more than one hour after determining the missing person is under 21 years of age or may be at risk (Penal Code § 14211).

(e) Ensure that entries are made into the appropriate missing person networks as follows:

1. Immediately, when the missing person is at risk.

2. In all other cases, as soon as practicable, but not later than two hours from the time of the initial report.

(f) Complete the appropriate report forms accurately and completely and initiate a search as applicable under the facts.

(g) Collect and/or review:

1. A photograph and a fingerprint card of the missing person, if available.
Missing Persons

2. A voluntarily provided biological sample of the missing person, if available (e.g., toothbrush, hairbrush).

3. Any documents that may assist in the investigation, such as court orders regarding custody.

4. Any other evidence that may assist in the investigation, including personal electronic devices (e.g., cell phones, computers).

(h) When circumstances permit and if appropriate, attempt to determine the missing person’s location through his/her telecommunications carrier.

(i) Contact the appropriate agency if the report relates to a previously made missing person report and another agency is actively investigating that report. When this is not practical, the information should be documented in an appropriate report for transmission to the appropriate agency. If the information relates to an at-risk missing person, the member should notify a supervisor and proceed with reasonable steps to locate the missing person.

320.6 REPORT PROCEDURES AND ROUTING
Employees should complete all missing person reports and forms promptly and advise the appropriate supervisor as soon as a missing person report is ready for review.

320.6.1 SUPERVISOR RESPONSIBILITIES
The responsibilities of the supervisor shall include, but are not limited to:

(a) Reviewing and approving missing person reports upon receipt.

1. The reports should be promptly sent to the Support Services Division.

(b) Ensuring resources are deployed as appropriate.

(c) Initiating a command post as needed.

(d) Ensuring applicable notifications and public alerts are made and documented.

(e) Ensuring that records have been entered into the appropriate missing persons networks.

(f) Taking reasonable steps to identify and address any jurisdictional issues to ensure cooperation among agencies.

If the case falls within the jurisdiction of another agency, the supervisor should facilitate transfer of the case to the agency of jurisdiction.

320.6.2 SUPPORT SERVICES DIVISION RESPONSIBILITIES
The receiving member shall:

(a) As soon as reasonable under the circumstances, notify and forward a copy of the report to the law enforcement agency having jurisdiction over the missing person’s
Missing Persons

residence in cases where the missing person is a resident of another jurisdiction (Penal
Code § 14211).

(b) Notify and forward a copy of the report to the law enforcement agency in whose
jurisdiction the missing person was last seen (Penal Code § 14211).

(c) Notify and forward a copy of the report to the law enforcement agency having
jurisdiction over the missing person’s intended or possible destination, if known.

(d) Forward a copy of the report to the Investigations.

(e) Coordinate with the NCIC Terminal Contractor for California to have the missing
person record in the NCIC computer networks updated with additional information
obtained from missing person investigations (42 USC § 5780).

320.7 INVESTIGATIONS FOLLOW-UP

In addition to completing or continuing any actions listed above, the investigator assigned to a
missing person investigation:

(a) Shall ensure that the missing person’s school is notified within 10 days if the missing
person is a juvenile.

1. The notice shall be in writing and should also include a photograph (Education
Code § 49068.6).

2. The investigator should meet with school officials regarding the notice as
appropriate to stress the importance of including the notice in the child’s student
file, along with contact information if the school receives a call requesting the
transfer of the missing child’s files to another school.

(b) Should recontact the reporting person and/or other witnesses within 30 days of the
initial report and within 30 days thereafter to determine if any additional information
has become available via the reporting party.

(c) Should consider contacting other agencies involved in the case to determine if any
additional information is available.

(d) Shall verify and update CLETS, NCIC and any other applicable missing person
networks within 30 days of the original entry into the networks and every 30 days
thereafter until the missing person is located (42 USC § 5780).

(e) Should continue to make reasonable efforts to locate the missing person and
document these efforts at least every 30 days.

(f) Shall maintain a close liaison with state and local child welfare systems and the
National Center for Missing and Exploited Children® (NCMEC) if the missing person
is under the age of 21 and shall promptly notify NCMEC when the person is missing
from a foster care family home or childcare institution (42 USC § 5780).

(g) Should make appropriate inquiry with the Coroner.
(h) Should obtain and forward medical and dental records, photos, X-rays and biological samples pursuant to Penal Code § 14212 and Penal Code § 14250.

(i) Shall attempt to obtain the most recent photograph for persons under 18 years of age if it has not previously been obtained and forward the photograph to California DOJ (Penal Code § 14210) and enter the photograph into applicable missing person networks (42 USC § 5780).

(j) Should consider making appropriate entries and searches in the National Missing and Unidentified Persons System (NamUs).

(k) In the case of an at-risk missing person or a person who has been missing for an extended time, should consult with a supervisor regarding seeking federal assistance from the FBI and the U.S. Marshals Service (28 USC § 586).

320.8 WHEN A MISSING PERSON IS FOUND
When any person reported missing is found, the assigned investigator shall document the location of the missing person in the appropriate report, notify the relatives and/or reporting party, as appropriate, and other involved agencies and refer the case for additional investigation if warranted.

The Investigations Division Commander or designee shall ensure that, upon receipt of information that a missing person has been located, the following occurs (Penal Code § 14213):

(a) Notification is made to California DOJ.

(b) The missing person’s school is notified.

(c) Entries are made in the applicable missing person networks.

(d) Immediately notify the Attorney General’s Office.

(e) Notification shall be made to any other law enforcement agency that took the initial report or participated in the investigation within 24 hours.

320.8.1 UNIDENTIFIED PERSONS
Department members investigating a case of an unidentified person who is deceased or a living person who cannot assist in identifying him/herself should:

(a) Obtain a complete description of the person.

(b) Enter the unidentified person’s description into the NCIC Unidentified Person File.

(c) Use available resources, such as those related to missing persons, to identify the person.

320.9 CASE CLOSURE
The Investigations supervisor may authorize the closure of a missing person case after considering the following:
Missing Persons

(a) Closure is appropriate when the missing person is confirmed returned or evidence has matched an unidentified person or body.

(b) If the missing person is a resident of Pleasant Hill Police or this department is the lead agency, the case should be kept under active investigation for as long as the person may still be alive. Exhaustion of leads in the investigation should not be a reason for closing a case.

(c) If this department is not the lead agency, the case can be made inactivate if all investigative leads have been exhausted, the lead agency has been notified and entries are made in the applicable missing person networks as appropriate.

(d) A missing person case should not be closed or reclassified because the person would have reached a certain age or adulthood or because the person is now the subject of a criminal or civil warrant.

320.10 TRAINING
Subject to available resources, the Professional Standards Sergeant should ensure that members of this department whose duties include missing person investigations and reports receive regular training that includes:

(a) The initial investigation:
   1. Assessments and interviews
   2. Use of current resources, such as Mobile Audio Video (MAV)
   3. Confirming missing status and custody status of minors
   4. Evaluating the need for a heightened response
   5. Identifying the zone of safety based on chronological age and developmental stage

(b) Briefing of department members at the scene.

(c) Identifying NCIC Missing Person File categories (e.g., disability, endangered, involuntary, juvenile and catastrophe).

(d) Verifying the accuracy of all descriptive information.

(e) Initiating a neighborhood investigation.

(f) Investigating any relevant recent family dynamics.

(g) Addressing conflicting information.

(h) Key investigative and coordination steps.

(i) Managing a missing person case.

(j) Additional resources and specialized services.
(k) Update procedures for case information and descriptions.
(l) Preserving scenes.
(m) Internet and technology issues (e.g., Internet use, cell phone use).
(n) Media relations.
AMBER and BLUE ALERTS

321.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines for alerting the public to important information and soliciting public aid when appropriate.

321.2 POLICY
Public alerts may be employed using the Emergency Alert System (EAS), local radio, television and press organizations and other groups to notify the public of incidents, or enlist the aid of the public, when the exchange of information may enhance the safety of the community. Various types of alerts may be available based upon each situation and the alert system’s individual criteria.

321.3 RESPONSIBILITIES

321.3.1 EMPLOYEE RESPONSIBILITIES
Employees of the Pleasant Hill Police Department should notify their supervisor, Watch Commander or Investigations Supervisor as soon as practicable upon learning of a situation where public notification, a warning or enlisting the help of the media and public could assist in locating a missing person, apprehending a dangerous person or gathering information.

321.3.2 SUPERVISOR RESPONSIBILITIES
A supervisor apprised of the need for a public alert is responsible to make the appropriate notifications based upon the circumstances of each situation. The supervisor shall promptly notify the Chief of Police, the appropriate Division Commander and a designated Press Information Officer when any public alert is generated.

The supervisor in charge of the investigation to which the alert relates is responsible for the following:

(a) Updating alerts
(b) Canceling alerts
(c) Ensuring all appropriate reports are completed
(d) Preparing an after-action evaluation of the investigation to be forwarded to the Division Commander

321.4 AMBER ALERTS
The AMBER Alert™ Program is a voluntary partnership between law enforcement agencies, broadcasters, transportation agencies and the wireless industry, to activate urgent bulletins in child abduction cases.
321.4.1 CRITERIA FOR AMBER ALERT
The following conditions must be met before activating an AMBER Alert (Government Code § 8594(a)):

(a) A child has been abducted or taken by anyone, including but not limited to a custodial parent or guardian.
(b) The victim is 17 years of age or younger, or has a proven mental or physical disability.
(c) The victim is in imminent danger of serious injury or death.
(d) There is information available that, if provided to the public, could assist in the child’s safe recovery.

321.4.2 PROCEDURE FOR AMBER ALERT
The supervisor in charge will ensure the following:

(a) An initial press release is prepared that includes all available information that might aid in locating the child:
   1. The child's identity, age and description
   2. Photograph if available
   3. The suspect’s identity, age and description, if known
   4. Pertinent vehicle description
   5. Detail regarding location of incident, direction of travel, potential destinations, if known
   6. Name and telephone number of the Press Information Officer or other authorized individual to handle media liaison
   7. A telephone number for the public to call with leads or information

(b) The local California Highway Patrol communications center should be contacted to initiate a multi-regional or statewide EAS broadcast, following any policies and procedures developed by CHP (Government Code § 8594).

(c) The press release information is forwarded to the Sheriff’s Department Emergency Communications Bureau so that general broadcasts can be made to local law enforcement agencies.

(d) Information regarding the missing person should be entered into the California Law Enforcement Telecommunication System (CLETS).

(e) Information regarding the missing person should be entered into the California Department of Justice Missing and Unidentified Persons System (MUPS)/National Crime Information Center (NCIC).

(f) The following resources should be considered as circumstances dictate:
1. The local FBI office
2. National Center for Missing and Exploited Children (NCMEC)

321.5 BLUE ALERTS
Blue Alerts may be issued when an officer is killed, injured or assaulted and the suspect may pose a threat to the public or other law enforcement personnel.

321.5.1 CRITERIA FOR BLUE ALERTS
All of the following conditions must be met before activating a Blue Alert (Government Code § 8594.5):

(a) A law enforcement officer has been killed, suffered serious bodily injury or has been assaulted with a deadly weapon, and the suspect has fled the scene of the offense.

(b) The investigating law enforcement agency has determined that the suspect poses an imminent threat to the public or other law enforcement personnel.

(c) A detailed description of the suspect’s vehicle or license plate is available for broadcast.

(d) Public dissemination of available information may help avert further harm or accelerate apprehension of the suspect.

321.5.2 PROCEDURE FOR BLUE ALERT
The supervisor in charge should ensure the following:

(a) An initial press release is prepared that includes all available information that might aid in locating the suspect:

1. The license number and/or any other available description or photograph of the vehicle
2. Photograph, description and/or identification of the suspect
3. The suspect’s identity, age and description, if known
4. Detail regarding location of incident, direction of travel, potential destinations, if known
5. Name and telephone number of the Press Information Officer or other authorized individual to handle media liaison
6. A telephone number for the public to call with leads or information

(b) The local California Highway Patrol communications center is contacted to initiate a multi-regional or statewide EAS broadcast.
(c) The information in the press release is forwarded to the Sheriff’s Department Emergency Communications Bureau so that general broadcasts can be made to local law enforcement agencies.

(d) The following resources should be considered as circumstances dictate:
   1. Entry into the California Law Enforcement Telecommunication System (CLETs)
   2. The FBI local office

**321.6 SILVER ALERTS**
Silver Alerts® is an emergency notification system for people who are 65 years of age or older, developmentally disabled or cognitively impaired and have been reported missing (Government Code § 8594.10).

321.6.1 CRITERIA FOR SILVER ALERTS
All of the following conditions must be met before activating a Silver Alert (Government Code § 8594.10):

(a) The missing person is 65 years of age or older, developmentally disabled or cognitively impaired.

(b) The department has utilized all available local resources.

(c) The investigating officer or supervisor has determined that the person is missing under unexplained or suspicious circumstances.

(d) The investigating officer or supervisor believes that the person is in danger because of age, health, mental or physical disability, environment or weather conditions, that the person is in the company of a potentially dangerous person, or that there are other factors indicating that the person may be in peril.

(e) There is information available that, if disseminated to the public, could assist in the safe recovery of the missing person.

321.6.2 PROCEDURE FOR SILVER ALERT
Requests for a Silver Alert shall be made through the California Highway Patrol (Government Code § 8594.10).

**321.7 YELLOW ALERTS**
Yellow Alerts are notifications related to hit-and-run incidents resulting in the death or injury (Vehicle Code § 20001; Government Code § 8594.15).

321.7.1 CRITERIA FOR YELLOW ALERTS
All of the following conditions must be met before requesting the activation of a Yellow Alert (Government Code § 8594.15):

(a) A person has been killed or has suffered serious bodily injury due to a hit-and-run.
(b) It is likely the suspect may be seen on a state highway.

(c) There is additional information concerning the suspect’s vehicle, including, but not limited to any of the following:
   1. The suspect or the suspect’s vehicle can be particularly described (e.g., a complete or partial license plate number)
   2. Unique vehicle characteristics (e.g., make, model and color of suspect’s vehicle)
   3. The identity of the suspect

(d) Public assistance can mitigate danger to the public or quicken the apprehension of the suspect.

321.7.2 PROCEDURE FOR YELLOW ALERT
Requests for a Yellow Alert shall be made through the California Highway Patrol (Government Code § 8594.15).

321.8 MUTUAL AID
The experiences of other law enforcement jurisdictions that have implemented similar plans indicate an AMBER Alert or Blue Alert will generate a high volume of telephone calls to the handling agency.

The Sheriff’s Department Emergency Communications Bureau facilities and staff can be made available in the event of a high call volume.

If the Watch Commander or Investigations Supervisor elects to use the services of the Sheriff’s Department, the following will apply:

(a) Notify the Sheriff’s Department Watch Commander of the incident and the request for assistance. He/she will provide you with a telephone number for the public to call.

(b) In the press release, direct the public to the telephone number provided by the Sheriff’s Department Watch Commander.

(c) The Press Information Officer will continue to handle all press releases and media inquiries. Any press inquiries received by the Sheriff’s Department will be referred back to this department.

The Pleasant Hill Police Department shall assign a minimum of two detectives/officers to respond to the Sheriff’s Department Emergency Communications Bureau to screen and relay information and any clues received from incoming calls. As circumstances dictate, more staff resources from the handling law enforcement agency may be necessary to assist the staff at the Emergency Communications Bureau.
Victim and Witness Assistance

322.1 PURPOSE AND SCOPE
The purpose of this policy is to ensure that crime victims and witnesses receive appropriate assistance, that they are provided with information from government and private resources, and that the agency meets all related legal mandates.

322.2 POLICY
The Pleasant Hill Police Department is committed to providing guidance and assistance to the victims and witnesses of crime. The employees of the Pleasant Hill Police Department will show compassion and understanding for victims and witnesses and will make reasonable efforts to provide the support and information identified in this policy.

322.3 CRIME VICTIM LIAISON
The Chief of Police shall appoint a member of the Department to serve as the crime victim liaison (2 CCR 649.36). The crime victim liaison will be the point of contact for individuals requiring further assistance or information from the Pleasant Hill Police Department regarding benefits from crime victim resources. This person shall also be responsible for maintaining compliance with all legal mandates related to crime victims and/or witnesses.

322.3.1 CRIME VICTIM LIAISON DUTIES
The crime victim liaison is specifically tasked with the following:

(a) Developing and implementing written procedures for notifying and providing forms for filing with the California Victim Compensation Board (CalVCB) to crime victims, their dependents, or family. Access to information or an application for victim compensation shall not be denied based on the victim’s or derivative victim’s designation as a gang member, associate, or affiliate, or on the person’s documentation or immigration status (Government Code § 13962; 2 CCR 649.35; 2 CCR 649.36).

(b) Responding to inquiries concerning the procedures for filing a claim with CalVCB (2 CCR 649.36).

(c) Providing copies of crime reports requested by CalVCB or victim witness assistance centers. Disclosure of reports must comply with the Records Maintenance and Release Policy.

(d) Annually providing CalVCB with his/her contact information (Government Code § 13962).

(e) Developing in consultation with sexual assault experts a sexual assault victim card explaining the rights of victims under California law (Penal Code § 680.2).

1. Ensuring that sufficient copies of the rights of sexual assault victim card are provided to each provider of medical evidentiary examinations or physical examinations arising out of sexual assault in the Pleasant Hill Police Department jurisdiction (Penal Code § 680.2).
322.3.2 U VISA AND T VISA CERTIFICATION RESPONSIBILITY
U Visa and T Visa certifications will be routed to the Support Services Division Commander or designee for action.

322.4 CRIME VICTIMS
Officers should provide all victims with the applicable victim information handouts.

Officers should never guarantee a victim’s safety from future harm but may make practical safety suggestions to victims who express fear of future harm or retaliation. Officers should never guarantee that a person qualifies as a victim for the purpose of compensation or restitution but may direct him/her to the proper written department material or available victim resources.

322.4.1 VICTIMS OF HUMAN TRAFFICKING
Officers investigating or receiving a report involving a victim of human trafficking shall inform the victim, or the victim’s parent or guardian if the victim is a minor, that upon the request of the victim the names and images of the victim and his/her immediate family members may be withheld from becoming a matter of public record until the conclusion of the investigation or prosecution (Penal Code § 293).

322.5 VICTIM INFORMATION
The Administration Supervisor shall ensure that victim information handouts are available and current. These should include as appropriate:

(a) Shelters and other community resources for victims of domestic violence.
(b) Community resources for victims of sexual assault.
(c) Assurance that sexual assault victims will not incur out-of-pocket expenses for forensic medical exams, and information about evidence collection, storage, and preservation in sexual assault cases (34 USC § 10449; 34 USC § 20109; Penal Code § 13823.95(a)).
(d) An explanation that victims of sexual assault who seek a standardized medical evidentiary examination shall not be required to participate or agree to participate in the criminal justice system, either prior to the examination or at any other time (Penal Code § 13823.95(b)).
(e) An advisement that a person who was arrested may be released on bond or some other form of release and that the victim should not rely upon an arrest as a guarantee of safety.
(f) A clear explanation of relevant court orders and how they can be obtained.
(g) Information regarding available compensation for qualifying victims of crime (Government Code § 13962).
(h) VINE® information (Victim Information and Notification Everyday), including the telephone number and whether this free service is available to allow victims to check on an offender’s custody status and to register for automatic notification when a person is released from jail.
Victim and Witness Assistance

(i) Notice regarding U visa and T visa application processes.

(j) Resources available for victims of identity theft.

(k) A place for the officer’s name, badge number, and any applicable case or incident number.

(l) The "Victims of Domestic Violence" card containing the names, phone numbers, or local county hotlines of local shelters for battered women and rape victim counseling centers within the county and their 24-hour counseling service telephone numbers (Penal Code § 264.2).

(m) The rights of sexual assault victims card with the required information as provided in Penal Code § 680.2.

(n) Any additional information required by state law (Penal Code § 13701; Penal Code § 679.02; Penal Code § 679.04; Penal Code § 679.05; Penal Code § 679.026).

322.6 WITNESSES

Officers should never guarantee a witness’ safety from future harm or that his/her identity will always remain confidential. Officers may make practical safety suggestions to witnesses who express fear of future harm or retaliation.

Officers should investigate allegations of witness intimidation and take enforcement action when lawful and reasonable.
Hate Crimes

323.1 PURPOSE AND SCOPE
The purpose of this policy is to meet or exceed the provisions of Penal Code § 13519.6(c) and provides members of this department with guidelines for identifying and investigating incidents and crimes that may be motivated by hatred or other bias.

323.1.1 DEFINITIONS
Hate crimes - A criminal act committed in whole or in part, because of one or more of the following actual or perceived characteristics of the victim (Penal Code § 422.55; Penal Code § 422.56; Penal Code § 422.57):

(a) Disability
(b) Gender
(c) Nationality
(d) Race or ethnicity
(e) Religion
(f) Sexual orientation
(g) Association with a person or group with one or more of these actual or perceived characteristics
(h) Examples of hate crimes include, but are not limited to:

1. Interfering with, oppressing or threatening any other person in the free exercise or enjoyment of any right or privilege secured by the constitution or laws because of one or more of the actual or perceived characteristics of the victim (Penal Code § 422.6).
2. Defacing a person’s property because of one or more of the actual or perceived characteristics of the victim (Penal Code § 422.6(b)).
3. Terrorizing a person with a swastika or burning cross (Penal Code § 11411).
4. Vandalizing a place of worship (Penal Code § 594.3).

The federal Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act expands federal hate crimes to include crimes motivated by a victim's actual or perceived sex, sexual orientation, gender identity or disability (18 USC § 249).

Victim - Includes, but is not limited to, a community center, educational facility, entity, family, group, individual, office, meeting hall, person, place of worship, private institution, public agency, library or other victim or intended victim of the offense (Penal Code § 422.56).
323.2 POLICY
The Pleasant Hill Police Department recognizes and places a high priority on the rights of all individuals guaranteed under the state and federal constitution and incorporated in state and federal law.

323.3 PREVENTION AND PREPARATION
While it is recognized that not all crime can be prevented, this department is committed to taking a proactive approach to preventing and preparing for likely hate crimes by, among other things:

(a) Make an affirmative effort to establish contact with persons and groups within the community, who are likely targets of hate crimes and forming networks that address prevention and response.

(b) Accessing assistance by, among other things, activating the California Department of Justice Hate Crime Rapid Response Protocol when necessary.

(c) Providing victim assistance and follow-up as outlined below, including community follow-up.

(d)

323.4 INVESTIGATIONS
Whenever any member of this department receives a report of a suspected hate crime or other activity that reasonably appears to involve a potential hate crime, the following should occur:

(a) Officer(s) will be promptly assigned to contact the victim, witness, or reporting party to investigate the matter further as circumstances may dictate

(b) A supervisor should be notified of the circumstances as soon as practical

(c) Once “in progress” aspects of any such situation have been stabilized (e.g., treatment of victims, apprehension of present suspects, etc.), the assigned officer(s) will take all reasonable steps to preserve available evidence that may tend to establish that a hate crime was involved

(d) Based upon available information, officers should take appropriate action to mitigate further injury or damage to potential victims or the community.

1. Officers should contact the property owner to remove any evidence that cannot be physically removed (i.e., painted words or signs on a wall) by the officer once the offense is documented.

(e) The assigned officer(s) will interview available witnesses, victims and others to determine what circumstances, if any, indicate that the situation may involve a hate crime.

1. No victim of or a witness to a hate crime who is not otherwise charged with or convicted of a crime under state law may be detained for or turned over
Hate Crimes

to federal authorities exclusively for any actual or suspected immigration violation (Penal Code § 422.93(b))

2. Statements of victims and witnesses should be audio or video recorded if practicable (see the Portable Audio/Video Recorders Policy).

(f) Depending on the situation, the assigned officer(s) or supervisor may request additional assistance from detectives or other resources to further the investigation.

(g) The assigned officer(s) will include all available evidence indicating the likelihood of a hate crime in the relevant report(s). All related reports will be clearly marked as “Hate Crimes” and, absent prior approval of a supervisor, will be completed and submitted by the assigned officer(s) before the end of the shift.

(h) The assigned officer(s) will provide the victim(s) of any suspected hate crime with a brochure on hate crimes (Penal Code § 422.92). Such brochures will also be available to members of the general public upon request. The assigned officer(s) should also make reasonable efforts to assist the victim(s) by providing available information on local assistance programs and organizations.

(i) The assigned officer(s) and supervisor should take reasonable steps to ensure that any such situation does not escalate further (e.g., Possible Temporary Restraining Order through the District Attorney or City Attorney Penal Code § 136.2 or Civil Code § 52.1 as indicated).
If a case is assigned to the Investigations, the assigned detective will be responsible for following up on the reported hate crime as follows:

complaint with DFEH or, if local law enforcement refuses to investigate the incident, contact the California Attorney General at (800) 952-5225 or TTY number at (800) 952-5548.
Hate Crimes

(a) Coordinate further investigation with the District Attorney and other appropriate law enforcement agencies, as appropriate.

(b) Maintain contact with the victim(s) and other involved individuals as needed.

(c) Make reasonable efforts to identify additional witnesses.

(d) Utilize available criminal intelligence systems as appropriate.

323.4.2 WATCH COMMANDER RESPONSIBILITIES
The on-call Commander will be notified by the Watch Commander of all hate crimes.

323.4.3 SUPERVISOR RESPONSIBILITY
The supervisor should confer with the initial responding officers to identify reasonable and appropriate preliminary actions. The supervisor should:

(a) Review related reports to verify whether the incident is appropriately classified as a hate crime for federal and state bias crime-reporting purposes.

(b) Notify other appropriate personnel in the chain of command, depending on the nature and seriousness of the offense and its potential inflammatory and related impact on the community.

(c) Consider the need for further action to be taken for the protection of the victims or vulnerable sites, such as assigning an officer at specific locations that could become targets or increase neighborhood surveillance.

(d) Ensure that members who are responsible for the conduct and maintenance of information on criminal groups are notified and that they make appropriate inquiries and entries into criminal intelligence systems.

323.5 TRAINING
All members of this department will receive POST-approved training on hate crime recognition and investigation as provided by Penal Code § 13519.6.

323.6 SERVICES DIVISION RESPONSIBILITY
The Support Services Division Supervisor will maintain statistical data on suspected hate crimes and tracking as indicated and report such data to the Attorney General upon request per the requirement of Penal Code section 13023.

Services Division personnel will forward copies of hate crime reports to the Operations Division and Support Servicess Division Commanders, the Captain, and the Chief of Police.
Disciplinary Policy

324.1 PURPOSE AND SCOPE
This policy establishes standards of conduct that are consistent with the values and mission of this department and are expected of its members. The standards contained in this policy are not intended to be an exhaustive list of requirements and prohibitions but they do identify many of the important matters concerning member conduct. Members are also subject to provisions contained throughout this manual as well as any additional guidance on conduct that may be disseminated by the Department or the member's supervisors.

This policy applies to all employees (full- and part-time), reserve officers and volunteers.

324.2 DISCIPLINE POLICY
The continued employment of every employee of this department shall be based on conduct that reasonably conforms to the guidelines set forth herein. Failure of any employee to meet the guidelines set forth in this policy, whether on-duty or off-duty, may be cause for disciplinary action.

An employee's off-duty conduct shall be governed by this policy to the extent that it is related to act(s) that may materially affect or arise from the employee's ability to perform official duties or to the extent that it may be indicative of unfitness for his/her position.

324.3 CONDUCT WHICH MAY RESULT IN DISCIPLINE
The following list of causes for disciplinary action constitutes a portion of the disciplinary standards of this department. This list is not intended to cover every possible type of misconduct and does not preclude the recommendation of disciplinary action for specific action or inaction that is detrimental to efficient department service:

324.3.1 ATTENDANCE
(a) Leaving job to which assigned during duty hours without reasonable excuse and proper permission and approval.
(b) Unexcused or unauthorized absence or tardiness on scheduled day(s) of work.
(c) Failure to report to work or to place of assignment at time specified and fully prepared to perform duties without reasonable excuse.
(d) Failure to notify the Department within 24 hours of any change in residence address, home phone number, or marital status.

324.3.2 CONDUCT
(a) Unauthorized or unlawful fighting, threatening or attempting to inflict unlawful bodily injury on another.
(b) Initiating any civil action for recovery of any damages or injuries incurred in the course and scope of employment without first notifying the Chief of Police of such action.
Disciplinary Policy

(c) Using department resources in association with any portion of an independent civil action. These resources include, but are not limited to, personnel, vehicles, equipment and non-subpoenaed records.

(d) Engaging in horseplay resulting in injury or property damage or the reasonable possibility thereof.

(e) Unauthorized possession of, loss of or damage to department property or the property of others, or endangering it through unreasonable carelessness or maliciousness.

(f) Failure of any employee to promptly and fully report activities on their own part or the part of any other employee where such activities may result in criminal prosecution or discipline under this policy.

(g) Failure of any employee to promptly and fully report activities that have resulted in official contact by any other law enforcement agency.

(h) Using or disclosing one's status as an employee with the Department in any way that could reasonably be perceived as an attempt to gain influence or authority for non-department business or activity.

(i) The use of any information, photograph, video or other recording obtained or accessed as a result of employment with the Department for personal or financial gain or without the express authorization of the Chief of Police or a designee may result in discipline under this policy.

(j) Seeking restraining orders against individuals encountered in the line of duty without the express permission of the Chief of Police.

(k) Discourteous, disrespectful or discriminatory treatment of any member of the public or any member of this department.

(l) Unwelcome solicitation of a personal or sexual relationship while on-duty or through the use of one's official capacity.

(m) Engaging in on-duty sexual relations including, but not limited to, sexual intercourse, excessive displays of public affection or other sexual contact.

324.3.3 DISCRIMINATION

(a) Discriminate against any person because of age, race, color, creed, religion, sex, sexual orientation, national origin, ancestry, marital status, physical or mental disability or medical condition.

324.3.4 INTOXICANTS

(a) Reporting for work or being at work following the use of intoxicants where such use may impair the employee's ability to perform assigned duties or where there is an
Disciplinary Policy

324.3.1 INEFFECTIVENESS (A) Immediate suspicion of ineffectiveness during public contact resulting from the use of intoxicants
(b) Unauthorized possession or use of, or attempting to bring intoxicants to the work site, except as authorized in the performance of an official assignment. An employee who is authorized to consume intoxicants is not permitted to do so to such a degree that it may impair on-duty performance
(c) Reporting for work or being at work following the use of a “controlled substance” or any drug (whether legally prescribed or otherwise) where such use may impair the employee’s ability to perform assigned duties
(d) Unauthorized possession, use of, or attempting to bring controlled substance or other illegal drug to any work site

324.3.5 PERFORMANCE
(a) Unauthorized sleeping during on-duty time or assignments.
(b) Careless workmanship resulting in spoilage or waste of materials or work of an unacceptable nature as applicable to the nature of the work assigned.
(c) Unsatisfactory work performance including, but not limited to, failure, incompetence, inefficiency or delay in performing and/or carrying out proper orders, work assignments or instructions of supervisors without a reasonable and bona fide excuse.
(d) Concealing, attempting to conceal, removing or destroying defective or incompetent work.
(e) Disobedience or insubordination to constituted authorities, including refusal or deliberate failure to carry out or follow lawful directives and orders from any supervisor or person in a position of authority.
(f) The wrongful or unlawful exercise of authority on the part of any employee for malicious purpose, personal gain, willful deceit or any other improper purpose.
(g) Disparaging remarks or conduct concerning duly constituted authority to the extent that such conduct disrupts the efficiency of the Department or subverts the good order, efficiency and discipline of the Department or which would tend to discredit any member thereof.
(h) Knowingly making false, misleading or malicious statements that are reasonably calculated to harm or destroy the reputation, authority or official standing of the Department or members thereof.
(i) The falsification of any work-related records, the making of misleading entries or statements with the intent to deceive, or the willful and unauthorized destruction and/or mutilation of any department record, book, paper or document.
Disciplinary Policy

(j) Wrongfully loaning, selling, giving away or appropriating any department property for the personal use of the employee or any unauthorized person.

(k) The unauthorized use of any badge, uniform, identification card or other department equipment or property for personal gain or any other improper purpose.

(l) The receipt or acceptance of a reward, fee or gift from any person for service incident to the performance of the employee’s duties (lawful subpoena fees and authorized work permits excepted).

(m) Any knowing or negligent violation of the provisions of the department manual, operating procedures or other written directive of an authorized supervisor. The Department shall make this manual available to all employees. Employees shall familiarize themselves with this manual and be responsible for compliance with each of the policies contained herein.

(n) Work-related dishonesty, including attempted or actual theft of department property, services or the property of others, or the unauthorized removal or possession of department property or the property of another person.

(o) Criminal, dishonest, infamous or disgraceful conduct adversely affecting the employee/employer relationship, whether on- or off-duty.

(p) Failure to disclose or misrepresenting material facts, or the making of any false or misleading statement on any application, examination form, or other official document, report or form or during the course of any work-related investigation.

(q) Failure to take reasonable action while on-duty and when required by law, statute, resolution or approved department practices or procedures.

(r) Associating with or joining a criminal gang, organized crime and/or criminal syndicate when a department member knew or reasonably should have known of the criminal nature of the organization. This includes any organization involved in a definable criminal activity or enterprise, except as specifically directed and authorized by the Department.

(s) Offer or acceptance of a bribe or gratuity.

(t) Misappropriation or misuse of public funds.

(u) Exceeding lawful peace officer powers by unreasonable, unlawful or excessive conduct.

(v) Unlawful gambling or unlawful betting at any time or any place. Legal gambling or betting under any of the following conditions: while on department premises; at any work site; while on-duty or while in uniform; or while using any department equipment or system. Gambling activity undertaken as part of an officer’s official duties and with the express knowledge and permission of a direct supervisor is exempt from this prohibition.
Disciplinary Policy

(w) Substantiated, active, continuing association on a personal rather than official basis with a person or persons who engaged in or are continuing to engage in serious violations of state or federal laws, where the employee has or reasonably should have knowledge of such criminal activities, except where specifically directed and authorized by the Department.

(x) Solicitations, speeches or distribution of campaign literature for or against any political candidate or position while on-duty, on department property or while in any way representing him/herself as a member of this agency, except as expressly authorized by the Chief of Police.

(y) Engaging in political activities during assigned working hours except as expressly authorized by the Chief of Police.

(z) Violating any misdemeanor or felony statute.

(aa) Any other on-duty or off-duty conduct which any employee knows or reasonably should know is unbecoming a member of the Department or which is contrary to good order, efficiency or morale, or which tends to reflect unfavorably upon the Department or its members.

(ab) Any failure or refusal of an employee to properly perform the function and duties of an assigned position.

(ac) Failure to maintain required and current licenses (e.g. driver’s license) and certifications (e.g., first aid).

(ad) Giving false or misleading statements, or misrepresenting or omitting material information to a supervisor, or other person in a position of authority, in connection with any investigation or in the reporting of any department-related business.

324.3.6 SAFETY

(a) Failure to observe posted rules, signs and written or oral safety instructions while on duty and/or within department facilities or to use required protective clothing or equipment.

(b) Knowingly failing to report any on-the-job or work-related accident or injury within 24 hours.

(c) Substantiated employee record of unsafe or improper driving habits or actions in the course of employment.

(d) Failure to maintain good physical condition sufficient to adequately and safely perform law enforcement duties.

(e) Any personal action contributing to involvement in a preventable traffic collision, or other unsafe or improper driving habits or actions in the course of employment.

(f) Violating departmental safety standards or safe working practices.
324.3.7 SECURITY
   (a) Unauthorized, intentional release of designated confidential information, materials, data, forms or reports

324.3.8 SUPERVISION RESPONSIBILITY
   (a) Failure of a supervisor to take appropriate action to ensure that employees adhere to the policies and procedures of this department and the actions of all personnel comply with all laws
   (b) Failure of a supervisor to timely report known misconduct of an employee to his or her immediate supervisor or to document such misconduct appropriately or as required by policy
   (c) The unequal or disparate exercise of authority on the part of a supervisor toward any employee for malicious or other improper purpose

324.4 INVESTIGATION OF DISCIPLINARY ALLEGATIONS
Regardless of the source of an allegation of misconduct, all such matters will be investigated in accordance with Personnel Complaint Procedure Policy Manual § 1020. Pursuant to Government Code §§ 3304(d) and 3508.1, the investigation should be completed within one year of the discovery of the allegation unless such investigation falls within one of the exceptions delineated within those provisions. See also the City of Pleasant Hill Personnel Rules and Regulations.

324.5 POST INVESTIGATION PROCEDURES
The provisions of the City of Pleasant Hill Personnel Rules and Regulations and any provisions in a Memorandum of Understanding will supercede below Policy Manual provisions on Post Investigation procedures if there are any conflicts between the documents.

324.5.1 DIVISION COMMANDER RESPONSIBILITIES
Upon receipt of any completed personnel investigation, the Division Commander of the involved employee shall review the entire investigative file, the employee's personnel file and any other relevant materials.

The Division Commander may make recommendations regarding the disposition of any allegations and the amount of discipline, if any, to be imposed.
   (a) Prior to forwarding recommendations to the Chief of Police, the Division Commander may return the entire investigation to the assigned detective or supervisor for further investigation or action
   (b) When forwarding any written recommendation to the Chief of Police, the Division Commander shall include all relevant materials supporting the recommendation. Actual copies of an employee's existing personnel file need not be provided and may be incorporated by reference
324.5.2 RESPONSIBILITIES OF THE CHIEF OF POLICE
Upon receipt of any written recommendation for disciplinary action, the Chief of Police shall review the recommendation and all accompanying materials.

The Chief of Police may modify any recommendation and/or may return the file to the Division Commander for further investigation or action.

Once the Chief of Police is satisfied that no further investigation or action is required by staff, the Chief of Police shall determine the amount of discipline, if any, to be recommended.

In the event disciplinary action is recommended, the Chief of Police shall provide the employee with written (Skelly) notice of the following information within one year of the date of the discovery of the alleged misconduct (absent an exception set forth in Government Code § 3304(d) or 3508.1):

(a) Specific charges set forth in separate counts, describing the conduct underlying each count.

(b) A separate recommendation of proposed discipline for each charge.

(c) A statement that the employee has been provided with or given access to all of the materials considered by the Chief of Police in recommending the proposed discipline.

(d) An opportunity to respond orally or in writing to the Chief of Police within five working days of receiving the Skelly notice.

1. Upon a showing of good cause by the employee, the Chief of Police may grant a reasonable extension of time for the employee to respond.

2. If the employee elects to respond orally, the presentation shall be recorded by the Department. Upon request, the employee shall be provided with a copy of the recording.

324.6 EMPLOYEE RESPONSE
The pre-discipline process is intended to provide the accused employee with an opportunity to present a written or oral response to the Chief of Police after having had an opportunity to review the supporting materials and prior to imposition of any recommended discipline. The employee shall consider the following:

(a) This Skelly response is not intended to be an adversarial or formal hearing.

(b) Although the employee may be represented by an uninvolved representative or legal counsel, the Skelly response is not designed to accommodate the presentation of testimony or witnesses.

(c) The employee may suggest that further investigation could be conducted or the employee may offer any additional information or mitigating factors for the Chief of Police to consider.
Disciplinary Policy

(d) In the event that the Chief of Police elects to cause further investigation to be conducted, the employee shall be provided with the results of such subsequent investigation prior to the imposition of any discipline.

(e) The employee may thereafter have the opportunity to further respond orally or in writing to the Chief of Police on the limited issues of information raised in any subsequent materials.

(f) Once the employee has completed his/her Skelly response or, if the employee has elected to waive any such response, the Chief of Police shall consider all information received in regard to the recommended discipline. Once the Chief of Police determines that discipline will be imposed, a written decision shall be provided to the employee within 10 working days, imposing, modifying or rejecting the recommended discipline, reasons for discipline, effective date of discipline, and advisement of appeal rights.

(g) Once the Chief of Police has issued a written decision, the discipline shall become effective.

324.7 RESIGNATIONS/RETIREMENTS PRIOR TO DISCIPLINE
In the event that an employee tenders a written retirement or resignation prior to the imposition of discipline, it shall be noted in the file.

The tender of a retirement or resignation by itself shall not serve as grounds for the termination of pending discipline.

324.8 POST SKELLY PROCEDURE
In situations resulting in the imposition of a suspension, punitive transfer, demotion, termination of a non-probationary employee, the employee shall have the right to an evidentiary appeal of the Chief of Police's imposition of discipline pursuant to the operative Memorandum of Understanding (MOU) and personnel rules.

324.9 DISCIPLINARY ACTION AGAINST PROBATIONARY EMPLOYEES
In the event that a probationary employee is terminated solely for unsatisfactory performance or the failure to meet department standards, the employee shall have no right to appeal and the following shall be considered:

(a) Termination of a probationary employee for such failure to pass probation shall be so reflected in the employee's personnel file

(b) In the event that a probationary employee is disciplined or terminated for misconduct, the employee shall only be entitled to appeal the decision in the same manner as set forth in the Skelly procedure as set forth above. This appeal process may be held prior to or within a reasonable time after the imposition of discipline
Disciplinary Policy

(c) At all times during any investigation of allegations of misconduct involving a probationary officer, such officer shall be afforded all procedural rights set forth in Government Code § 3303 and applicable Department policies.

(d) A probationary employee’s appeal of disciplinary action shall be limited to an opportunity for the employee to attempt to establish that the underlying allegations should not be sustained. Nothing in this policy or procedure, however, should be construed to establish any sort of property interest in or right to the employee’s continuation of employment.

(e) The burden of proof for any probationary employee’s appeal of disciplinary action shall rest with the employee and will require proof by a preponderance of the evidence.

(f) In the event that a probationary employee meets his or her burden of proof in such a disciplinary appeal, the Department shall remove all reference to the underlying allegations of misconduct from the employee’s personnel file.

(g) In the event that a probationary employee fails to meet his or her burden of proof in such a disciplinary appeal, the employee shall have no further right to appeal beyond the Chief of Police.
Information Technology Use

325.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines for the proper use of department information technology resources, including computers, electronic devices, hardware, software and systems.

325.1.1 DEFINITIONS
Definitions related to this policy include:

Computer system - All computers (on-site and portable), electronic devices, hardware, software, and resources owned, leased, rented or licensed by the Pleasant Hill Police Department that are provided for official use by its members. This includes all access to, and use of, Internet Service Providers (ISP) or other service providers provided by or through the Department or department funding.

Hardware - Includes, but is not limited to, computers, computer terminals, network equipment, electronic devices, telephones, including cellular and satellite, pagers, modems or any other tangible computer device generally understood to comprise hardware.

Software - Includes, but is not limited to, all computer programs, systems and applications, including shareware. This does not include files created by the individual user.

Temporary file, permanent file or file - Any electronic document, information or data residing or located, in whole or in part, on the system including, but not limited to, spreadsheets, calendar entries, appointments, tasks, notes, letters, reports, messages, photographs or videos.

325.1.2 CITY OF PLEASANT HILL POLICY
Department employees also will follow the provisions and are subject to the provisions of the City of Pleasant Hill Computer Use Policy (2015).

325.2 POLICY
It is the policy of the Pleasant Hill Police Department that members shall use information technology resources, including computers, software and systems, that are issued or maintained by the Department in a professional manner and in accordance with this policy.

325.3 PRIVACY EXPECTATION
Employees forfeit any expectation of privacy with regard to emails, texts or anything published, shared, transmitted or maintained through file-sharing software or any Internet site that is accessed, transmitted, received or reviewed on any department computer system.

The Department reserves the right to access, audit and disclose, for whatever reason, any message, including attachments, and any information accessed, transmitted, received or reviewed over any technology that is issued or maintained by the Department, including the department email system, computer network and/or any information placed into storage on any department system or device. This includes records of all keystrokes or Web-browsing history made at any
Information Technology Use

department computer or over any department network. The fact that access to a database, service or website requires a username or password will not create an expectation of privacy if it is accessed through department computers, electronic devices or networks.

However, the Department may not require a member to disclose a personal username or password or open a personal social website, except when access is reasonably believed to be relevant to the investigation of allegations of work-related misconduct (Labor Code § 980).

325.4 RESTRICTED USE
Employees shall not access computers, devices, software or systems for which they have not received prior authorization or the required training. Employees shall immediately report unauthorized access or use of computers, devices, software or systems by another member to their supervisors or Watch Commanders.

Employees shall not use another person’s access passwords, logon information and other individual security data, protocols and procedures unless directed to do so by a supervisor.

325.4.1 SOFTWARE
Employees shall not copy or duplicate any copyrighted or licensed software except for a single copy for backup purposes in accordance with the software company’s copyright and license agreement.

To reduce the risk of a computer virus or malicious software, members shall not install any unlicensed or unauthorized software on any department computer. Employees shall not install personal copies of any software onto any department computer.

When related to criminal investigations, software program files may be downloaded only with the approval of the information systems technology (IT) staff and with the authorization of the Chief of Police or the authorized designee.

No employee shall knowingly make, acquire or use unauthorized copies of computer software that is not licensed to the Department while on department premises, computer systems or electronic devices. Such unauthorized use of software exposes the Department and involved members to severe civil and criminal penalties.

Introduction of software by employees should only occur as part of the automated maintenance or update process of department- or City-approved or installed programs by the original manufacturer, producer or developer of the software.

Any other introduction of software requires prior authorization from IT staff and a full scan for malicious attachments.

325.4.2 HARDWARE
Access to technology resources provided by or through the Department shall be strictly limited to department-related activities. Data stored on or available through department computer systems shall only be accessed by authorized members who are engaged in an active investigation
Information Technology Use

or assisting in an active investigation, or who otherwise have a legitimate law enforcement or department-related purpose to access such data. Any exceptions to this policy must be approved by a supervisor.

325.4.3 INTERNET USE
Internet access provided by or through the Department shall be strictly limited to department-related activities. Internet sites containing information that is not appropriate or applicable to department use and which shall not be intentionally accessed include, but are not limited to, adult forums, pornography, gambling, chat rooms and similar or related Internet sites. Certain exceptions may be permitted with the express approval of a supervisor as a function of a member’s assignment.

Downloaded information shall be limited to messages, mail and data files.

325.4.4 OFF-DUTY USE
Employees shall only use technology resources provided by the Department while on-duty or in conjunction with specific on-call assignments unless specifically authorized by a supervisor. This includes the use of telephones, cell phones, texting, email or any other "off the clock" work-related activities. This also applies to personally owned devices that are used to access department resources.

Refer to the Personal Communication Devices Policy for guidelines regarding off-duty use of personally owned technology.

325.5 PROTECTION OF AGENCY SYSTEMS AND FILES
All employees have a duty to protect the computer system and related systems and devices from physical and environmental damage and are responsible for the correct use, operation, care and maintenance of the computer system.

Employees shall ensure department computers and access terminals are not viewable by persons who are not authorized users. Computers and terminals should be secured, users logged off and password protections enabled whenever the user is not present. Access passwords, logon information and other individual security data, protocols and procedures are confidential information and are not to be shared. Password length, format, structure and content shall meet the prescribed standards required by the computer system or as directed by the Chief Technology Officer and shall be changed at intervals as directed by IT staff.

It is prohibited for a member to allow an unauthorized user to access the computer system at any time or for any reason. Members shall promptly report any unauthorized access to the computer system or suspected intrusion from outside sources (including the Internet) to a supervisor.

325.6 INSPECTION OR REVIEW
A supervisor or the authorized designee has the express authority to inspect or review the computer system, all temporary or permanent files, related electronic systems or devices, and any
Information Technology Use

contents thereof, whether such inspection or review is in the ordinary course of his/her supervisory
duties or based on cause.

Reasons for inspection or review may include, but are not limited to, computer system
malfunctions, problems or general computer system failure, a lawsuit against the Department
involving one of its members or a member’s duties, an alleged or suspected violation of any
department policy, a request for disclosure of data, or a need to perform or provide a service.

The IT staff may extract, download or otherwise obtain any and all temporary or permanent files
residing or located in or on the department computer system when requested by a supervisor or
during the course of regular duties that require such information.
Discriminatory Harassment

326.1 PURPOSE AND SCOPE
The purpose of this policy is to prevent department members from being subjected to discriminatory harassment, including sexual harassment and retaliation. Nothing in this policy is intended to create a legal or employment right or duty that is not created by law.

326.2 POLICY
The Pleasant Hill Police Department is an equal opportunity employer and is committed to creating and maintaining a work environment that is free of all forms of discriminatory harassment, including sexual harassment and retaliation. The Department will not tolerate discrimination against a member in hiring, promotion, discharge, compensation, fringe benefits and other privileges of employment. The Department will take preventive and corrective action to address any behavior that violates this policy or the rights it is designed to protect.

The nondiscrimination policies of the Department may be more comprehensive than state or federal law. Conduct that violates this policy may not violate state or federal law but still could subject a member to discipline.

326.3 DEFINITIONS
Definitions related to this policy include:

326.3.1 DISCRIMINATION
The Department prohibits all forms of discrimination, including any employment-related action by a member that adversely affects an applicant or member and is based on race, color, religion, sex, age, national origin or ancestry, genetic information, disability, military service, sexual orientation and other classifications protected by law.

Discriminatory harassment, including sexual harassment, is verbal or physical conduct that demeans or shows hostility or aversion toward an individual based upon that individual’s protected class. It has the effect of interfering with an individual’s work performance or creating a hostile or abusive work environment.

Conduct that may, under certain circumstances, constitute discriminatory harassment, can include making derogatory comments, crude and offensive statements or remarks; making slurs or off-color jokes, stereotyping; engaging in threatening acts; making indecent gestures, pictures, cartoons, posters or material; making inappropriate physical contact; or using written material or department equipment and/or systems to transmit or receive offensive material, statements or pictures. Such conduct is contrary to department policy and to a work environment that is free of discrimination.

326.3.2 SEXUAL HARASSMENT
The Department prohibits all forms of discrimination and discriminatory harassment, including sexual harassment. It is unlawful to harass an applicant or a member because of that person’s sex.
Discriminatory Harassment

Sexual harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors or other verbal, visual or physical conduct of a sexual nature when:

(a) Submission to such conduct is made either explicitly or implicitly a term or condition of employment, position or compensation.

(b) Submission to, or rejection of, such conduct is used as the basis for any employment decisions affecting the member.

(c) Such conduct has the purpose or effect of substantially interfering with a member's work performance or creating an intimidating, hostile, or offensive work environment.

326.3.3 ADDITIONAL CONSIDERATIONS
Discrimination and discriminatory harassment do not include actions that are in accordance with established rules, principles or standards, including:

(a) Acts or omission of acts based solely upon bona fide occupational qualifications under the Equal Employment Opportunity Commission (EEOC) and the California Fair Employment and Housing Council guidelines.

(b) Bona fide requests or demands by a supervisor that a member improve his/her work quality or output, that the member report to the job site on time, that the member comply with City or department rules or regulations, or any other appropriate work-related communication between supervisor and member.

326.3.4 RETALIATION
Retaliation is treating a person differently or engaging in acts of reprisal or intimidation against the person because he/she has engaged in protected activity, filed a charge of discrimination, participated in an investigation or opposed a discriminatory practice. Retaliation will not be tolerated.

326.4 RESPONSIBILITIES
This policy applies to all department personnel. All members shall follow the intent of these guidelines in a manner that reflects department policy, professional law enforcement standards and the best interest of the Department and its mission.

Members are encouraged to promptly report any discriminatory, retaliatory or harassing conduct or known violations of this policy to a supervisor. Any member who is not comfortable with reporting violations of this policy to his/her immediate supervisor may bypass the chain of command and make the report to a higher ranking supervisor or manager. Complaints may also be filed with the Chief of Police, the Human Resources Manager or the City Manager. The City of Pleasant Hill Personnel Rules and Regulations provisions on harassment are incorporated by reference into this policy; if there are conflicts between the City of Pleasant Hill Personnel Rules and Regulations and this Department policy then the provisions of the City of Pleasant Hill Personnel Rules and Regulations will take precedence and supersede the provisions of this policy.
Discriminatory Harassment

Any member who believes, in good faith, that he/she has been discriminated against, harassed, subjected to retaliation, or who has observed harassment or discrimination, is encouraged to promptly report such conduct in accordance with the procedures set forth in this policy.

Supervisors and managers receiving information regarding alleged violations of this policy shall determine if there is any basis for the allegation and shall proceed with resolution as stated below.

326.4.1 SUPERVISOR RESPONSIBILITIES
The responsibilities of each supervisor and manager shall include, but are not limited to:

(a) Continually monitoring the work environment and strive to ensure that it is free from all types of unlawful discrimination, including harassment or retaliation.

(b) Taking prompt, appropriate action within their work units to avoid and minimize the incidence of any form of discrimination, harassment or retaliation.

(c) Ensuring that their subordinates understand their responsibilities under this policy.

(d) Ensuring that members who make complaints or who oppose any unlawful employment practices are protected from retaliation and that such matters are kept confidential to the extent possible.

(e) Making a timely determination regarding the substance of any allegation based upon all available facts.

(f) Notifying the Chief of Police or Human Resources Manager in writing of the circumstances surrounding any reported allegations or observed acts of discrimination, harassment or retaliation no later than the next business day.

326.4.2 SUPERVISOR’S ROLE
Because of differences in individual values, supervisors and managers may find it difficult to recognize that their behavior or the behavior of others is discriminatory, harassing or retaliatory. Supervisors and managers shall be aware of the following considerations:

(a) Behavior of supervisors and managers should represent the values of our Department and professional law enforcement standards.

(b) False or mistaken accusations of discrimination, harassment or retaliation can have negative effects on the careers of innocent members.

(c) Supervisors and managers must act promptly and responsibly in the resolution of such situations.

(d) Supervisors and managers shall make a timely determination regarding the substance of any allegation based upon all available facts.

Nothing in this section shall be construed to prevent supervisors or managers from discharging supervisory or management responsibilities, such as determining duty assignments, evaluating or counseling employees or issuing discipline, in a manner that is consistent with established procedures.
Discriminatory Harassment

326.4.3 QUESTIONS OR CLARIFICATION
Members with questions regarding what constitutes discrimination, sexual harassment or retaliation are encouraged to contact a supervisor, a manager, the Chief of Police, the Human Resources Manager, the City Manager or the California Department of Fair Employment and Housing for further information, direction or clarification.

326.5 INVESTIGATION OF COMPLAINTS
Various methods of resolution exist. During the pendency of any such investigation, the supervisor of the involved member should take prompt and reasonable steps to mitigate or eliminate any continuing abusive or hostile work environment. It is the policy of the Department that all complaints of discrimination or harassment shall be fully documented and promptly and thoroughly investigated. The participating or opposing member should be protected against retaliation, and the complaint and related investigation should be kept confidential to the extent possible.

326.5.1 SUPERVISORY RESOLUTION
Members who believe they are experiencing discrimination, harassment or retaliation should be encouraged to inform the individual that his/her behavior is unwelcome, offensive, unprofessional or inappropriate. However, if the member feels uncomfortable or threatened or has difficulty expressing his/her concern, or if this does not resolve the concern, assistance should be sought from a supervisor or manager who is a rank higher than the alleged transgressor.

326.5.2 FORMAL INVESTIGATION
If the complaint cannot be satisfactorily resolved through the process described above, a formal investigation will be conducted.

The person assigned to investigate the complaint will have full authority to investigate all aspects of the complaint. Investigative authority includes access to records and the cooperation of any members involved. No influence will be used to suppress any complaint and no member will be subject to retaliation or reprisal for filing a complaint, encouraging others to file a complaint or for offering testimony or evidence in any investigation.

Formal investigation of the complaint will be confidential to the extent possible and will include, but is not limited to, details of the specific incident, frequency dates of occurrences and names of any witnesses. Witnesses will be advised regarding the prohibition against retaliation, and that a disciplinary process, up to and including termination, may result if retaliation occurs.

Members who believe they have been discriminated against, harassed or retaliated against because of their protected status, are encouraged to follow the chain of command but may also file a complaint directly with the Chief of Police, Human Resources Manager or the City Manager.

326.5.3 ALTERNATIVE COMPLAINT PROCESS
No provision of this policy shall be construed to prevent any member from seeking legal redress outside the Department. Members who believe that they have been harassed, discriminated or retaliated against are entitled to bring complaints of employment discrimination to federal, state and/or local agencies responsible for investigating such allegations. Specific time limitations apply.
to the filing of such charges. Members are advised that proceeding with complaints under the provisions of this policy does not in any way affect those filing requirements.

326.6 DOCUMENTATION OF COMPLAINTS
All complaints or allegations shall be thoroughly documented on forms and in a manner designated by the Chief of Police. The outcome of all reports shall be:

- Approved by the Chief of Police, the City Manager or the Human Resources Manager, depending on the ranks of the involved parties.
- Maintained in accordance with the department’s established records retention schedule.

326.6.1 NOTIFICATION OF DISPOSITION
The complainant and/or victim will be notified in writing of the disposition of the investigation and the actions taken to remedy or address the circumstances giving rise to the complaint.

326.7 TRAINING
All new employees shall be provided with a copy of this policy. The policy shall be reviewed with each new employee. The employee shall certify in writing that he/she has been advised of this policy, is aware of and understands its contents and agrees to abide by its provisions during his/her term of employment.

326.7.1 SUPERVISORY TRAINING
All supervisors shall receive specific training and education regarding sexual harassment and prevention of abusive conduct within six months of assuming a supervisory position. Refresher training shall be provided every two years thereafter (Government Code § 12950.1; 2 CCR 11023).

326.7.2 TRAINING RECORDS
The Professional Standards Sergeant shall be responsible for maintaining records of all discriminatory harassment training provided to members. Records shall be retained in accordance with established records retention schedules and for a minimum of two years (2 CCR 11023).
Report Preparation

327.1 PURPOSE AND SCOPE
Report preparation is a major part of each officer's job. The purpose of reports is to document sufficient information to refresh the officer's memory and to provide sufficient information for follow-up investigation and successful prosecution. Report writing is the subject of substantial formalized training and on-the-job training.

327.1.1 REPORT PREPARATION
Employees should ensure that reports are sufficiently detailed for their purpose and free from errors prior to submission. It is the responsibility of the assigned employee to complete and submit all reports taken during the shift before going off-duty unless permission to hold the report has been approved by a supervisor. Generally, reports requiring prompt follow-up action on active leads, or arrest reports where the suspect remains in custody should not be held.

Handwritten reports must be prepared legibly. If the report is not legible, the submitting employee will be required by the reviewing supervisor to promptly make corrections and resubmit the report. Employees who dictate reports shall use appropriate grammar, as content is not the responsibility of the typist. Employees who generate reports on computers are subject to all requirements of this policy.

All reports shall accurately reflect the identity of the persons involved, all pertinent information seen, heard or assimilated by any other sense, and any actions taken. Employees shall not suppress, conceal or distort the facts of any reported incident, nor shall any employee make a false report orally or in writing. Generally, the reporting employee's opinions should not be included in reports unless specifically identified as such.

327.2 REQUIRED REPORTING
Written reports are required in all of the following situations on the appropriate department approved form unless otherwise approved by a supervisor.

327.2.1 CRIMINAL ACTIVITY REPORTING
When an employee responds to a call for service, or as a result of self-initiated activity becomes aware of any activity where a crime has occurred, the employee is required to document the activity. The fact that a victim is not desirous of prosecution is not an exception to documenting a report. The following are examples of required documentation:

(a) In every instance where a crime has occurred, the documentation shall take the form of a written crime report
(b) In every case where any force is used against any person by police personnel
(c) All incidents involving domestic violence
(d) All arrests
327.2.2 NON-CRIMINAL ACTIVITY
The following incidents shall be documented using the appropriate approved report:

(a) Anytime an officer points a firearm at any person
(b) Any use of force against any person by a member of this department (see the Use of Force Policy)
(c) Any firearm discharge (see the Firearms and Qualification Policy)
(d) Anytime a person is reported missing, regardless of jurisdiction (see the Missing Persons Reporting Policy)
(e) Any found property or found evidence
(f) Any traffic collisions above the minimum reporting level (see Traffic Collision Reporting Policy)
(g) Suspicious incidents that may indicate a potential for crimes against children or that a child's safety is in jeopardy
(h) All protective custody detentions
(i) Suspicious incidents that may place the public or others at risk
(j) Whenever the employee believes the circumstances should be documented or at the direction of a supervisor

327.2.3 DEATH CASES
Death investigations require specific investigation methods depending on circumstances and should be handled in accordance with Policy § 360 Death Investigations. The handling officer should notify and apprise a supervisor of the circumstances surrounding the incident to determine how to proceed. The following cases shall be appropriately investigated and documented using the approved report:

(a) Sudden or accidental deaths.
(b) Suicides.
(c) Homicide or suspected homicide.
(d) Unattended deaths (No physician or qualified hospice care in the 20 days preceding death).
(e) Found dead bodies or body parts.

327.2.4 INJURY OR DAMAGE BY CITY PERSONNEL
Reports shall be taken if an injury occurs that is a result of an act of a City employee. Additionally, reports shall be taken involving damage to City property or City equipment.

327.2.5 MISCELLANEOUS INJURIES
Any injury that is reported to this department shall require a report when:
Report Preparation

(a) The injury is a result of drug overdose
(b) Attempted suicide
(c) The injury is major/serious, whereas death could result
(d) The circumstances surrounding the incident are suspicious in nature and it is desirable to record the event

The above reporting requirements are not intended to be all-inclusive. A supervisor may direct an employee to document any incident he/she deems necessary.

327.2.6 MANDATORY REPORTING OF JUVENILE GUNSHOT INJURIES
A report shall be taken when any incident in which a child 18 years or younger suffered an unintentional or self-inflicted gunshot wound. The Support Services Division shall notify the California State Department of Health Services of the incident, including the nature of the injury, on a form provided by the state. Forms may be obtained from DHS Epidemiology and Prevention for Injury Control (EPIC) Branch, Tel: (910) 552-9849 (Penal Code § 23685).

327.3 GENERAL POLICY OF EXPEDITIOUS REPORTING
In general, all officers and supervisors shall act with promptness and efficiency in the preparation and processing of all reports. An incomplete report, unorganized reports or reports delayed without supervisory approval are not acceptable. Reports shall be processed according to established priorities or according to special priority necessary under exceptional circumstances.

"In Custody" arrests will be completed by the officer prior to the end of duty except on Fridays and Saturdays.

327.3.1 FONT AND TYPING
Citations and other similar forms requiring handwritten completion will be completed in block printing. Writing will be in black or blue ink.

Typewritten reports will be completed in upper and lower case letters. The font for typewritten reports will be the default font set on the computer by Department IT staff.

Supervisors may provide direction regarding handwriting, typing, and font.

327.3.2 GENERAL USE OF OTHER HANDWRITTEN FORMS
County, state and federal agency forms may be block printed as appropriate. In general, the form itself may make the requirement for typing apparent.

327.4 REPORT CORRECTIONS
Supervisors shall review reports for content and accuracy. If a correction is necessary, the reviewing supervisor will reject the report and return it to the author. The originating employeeofficer ensure that any report returned for correction is completed and re submitted for approval in a timely manner.

See also the provisions of Policy Manual 344.42 and 344.8 and subsections for further detail.
327.4.1 ACTIVE/HELD REPORTS

(a) Active cases in which the follow up will be completed by the initial reporting officer may be noted on the computer entry or the follow up form can be used by the supervisor. See section 344.81 for further detail.

(b) Traffic Collision reports requiring review for the issuance of a citation will be submitted to the Services Division for processing. Services Division personnel will place these reports in the Citation Hold bin.

(c) Held reports will be forwarded to the appropriate computer queue. See section 344.81 for further detail.

327.4.2 REPORT REVIEW

(a) Watch Commanders are responsible for the review and approval of all written materials produced by Patrol Division officers, Community Service Officers assigned to Teams 1-4, and Traffic Officers. These employees will submit their reports and citations to the Watch Commander (see 344.8 and subsections) and/or forward documents/attachments to the Patrol Division in tray as soon as possible. Watch Commanders are responsible for assigning follow up to officers and coordinating follow-up with succeeding shifts and Watch Commanders if necessary. Watch Commanders may submit reports completed by Watch Commanders to other Watch Commanders for review and approval.

(b) The Investigations Division Commander or designee is responsible for the review and approval of all Investigations Division personnel.

(c) Services Division personnel will process reports and other documents submitted by Patrol Division personnel, including the preparation of case filing packets for the District Attorney's office.

(d) Services Division personnel will review reports for typographical, clerical, and format accuracy only. Errors will be forwarded to the Services Division supervisor or designee who will forward errors via e mail or computer routing to the Division Commander or supervisor for correction by the the involved supervisor or employee, see 344.84. Services Division personnel are not responsible for and will not review the narrative content of police reports.

327.5 REPORT CHANGES OR ALTERATIONS
Reports that have been approved by a supervisor and submitted to the Support Services Division for filing and distribution shall not be modified or altered except by way of a supplemental report. Reviewed reports that have not yet been submitted to the Support Services Division may be corrected or modified by the authoring officer only with the knowledge and authorization of the reviewing supervisor.
327.6 FULL REPORTS
The Pleasant Hill Police Department employs both synopsis and full reports. Watch Commanders may require employees to complete full reports on any classification. The following classifications require full reports:

(a) All felony criminal violations
(b) Any suspicious death
(c) All missing person cases
(d) All domestic violence cases
(e) All sexual assault and sexual battery cases
(f) All hate crime or hate crime incidents
(g) All domestic violence restraining order cases
(h) All Welfare and Institutions Code § 5150 cases in which a weapon was seized
(i) All stalking cases
(j) All arrests in which a suspect was physically taken into custody
(k) All threat cases
(l) All cases involving the use of force, including cases in which suspects were detained at gunpoint.

327.6.1 REPORTING CLASSIFICATIONS AND MINIMUM REPORTING
Calls for service and incidents of officer initiated activity requiring documentation require the minimum documentation of an "event" on the computer record or log. Written reports may accompany events. The following are the Department classifications for events and the minimum reporting requirements.

<table>
<thead>
<tr>
<th>EVENT</th>
<th>SYNOPSIS REPORT</th>
<th>FULL REPORT</th>
</tr>
</thead>
<tbody>
<tr>
<td>ACCD</td>
<td>AIDX</td>
<td>ACCI</td>
</tr>
<tr>
<td>ACCP</td>
<td>ASLS</td>
<td>ACCF</td>
</tr>
<tr>
<td>ACCN</td>
<td>AUTS</td>
<td>ARSO</td>
</tr>
<tr>
<td>AIDE</td>
<td>BPOO</td>
<td>ASLA</td>
</tr>
<tr>
<td>ALOO</td>
<td>CORN</td>
<td>AUTR</td>
</tr>
<tr>
<td>AUTA</td>
<td>DISC</td>
<td>AUTT</td>
</tr>
<tr>
<td>CIVL</td>
<td>DRUN</td>
<td>BURA</td>
</tr>
<tr>
<td>DSTR</td>
<td>MARP</td>
<td>BURR</td>
</tr>
<tr>
<td>DVCA</td>
<td>MISP (Subj located)</td>
<td>BURB</td>
</tr>
<tr>
<td>FING</td>
<td>PROL</td>
<td>DWIF</td>
</tr>
<tr>
<td>FIRE</td>
<td>PROW</td>
<td>DWII</td>
</tr>
</tbody>
</table>
327.6.2 CLASSIFICATION DEFINITIONS
ACCD-DRIVER'S COUNTER REPORT
ACCF-FATAL INJURY COLLISON
ACCI-INJURY COLLISON
ACCN-NON INJURY COLLISON
ACCP-PRIVATE PROPERTY COLLISION
AIDE-MEDICAL EMERGENCY
AIDX-§ 5150 WELFARE AND INSTITUTIONS CODE DETENTION
ALAF-FALSE ALARM
### Report Preparation

<table>
<thead>
<tr>
<th>Classification</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>ALOO</td>
<td>All situations not covered by other classifications</td>
</tr>
<tr>
<td>ARSO</td>
<td>Arson</td>
</tr>
<tr>
<td>ASLA</td>
<td>Aggravated assault incl § 273.5 Penal Code</td>
</tr>
<tr>
<td>ASLS</td>
<td>Simple assault incl § 243(E) 1 Penal Code</td>
</tr>
<tr>
<td>AUTA</td>
<td>Abandoned auto</td>
</tr>
<tr>
<td>AUTR</td>
<td>Auto theft recovery</td>
</tr>
<tr>
<td>AUTT</td>
<td>Stolen auto</td>
</tr>
<tr>
<td>BOLO</td>
<td>Be on the lookout</td>
</tr>
<tr>
<td>BPOO</td>
<td>Business and professions code</td>
</tr>
<tr>
<td>BURA</td>
<td>Auto burglary</td>
</tr>
<tr>
<td>BURB</td>
<td>Business burglary</td>
</tr>
<tr>
<td>BURR</td>
<td>Residential burglary</td>
</tr>
<tr>
<td>CIVL</td>
<td>Civil dispute</td>
</tr>
<tr>
<td>CCOO</td>
<td>Contra Costa County Code violation</td>
</tr>
<tr>
<td>CORN</td>
<td>Coroner's case</td>
</tr>
<tr>
<td>CURF</td>
<td>Curfew</td>
</tr>
<tr>
<td>DISC</td>
<td>§ 415 Penal Code violations</td>
</tr>
<tr>
<td>DRUN</td>
<td>§§ 647 (F) and 647 (G) Penal Code</td>
</tr>
<tr>
<td>DSTR</td>
<td>Disaster incl flooding due to rains</td>
</tr>
<tr>
<td>DVCA</td>
<td>Assist for CCCCD (DVC) police</td>
</tr>
<tr>
<td>DWIF</td>
<td>DUI fatal collision</td>
</tr>
<tr>
<td>DWII</td>
<td>Injury DUI collision</td>
</tr>
<tr>
<td>DWIN</td>
<td>Non injury DUI collision</td>
</tr>
<tr>
<td>DWIX</td>
<td>DUIS</td>
</tr>
<tr>
<td>FIED</td>
<td>Field interview card</td>
</tr>
<tr>
<td>FING</td>
<td>Fingerprinted at PD</td>
</tr>
<tr>
<td>FIRE</td>
<td>Non criminal fires</td>
</tr>
<tr>
<td>FORG</td>
<td>Forgeries</td>
</tr>
<tr>
<td>FRAU</td>
<td>Incl bad check cases</td>
</tr>
<tr>
<td>HOMI</td>
<td>Homicides</td>
</tr>
</tbody>
</table>
HSOO-NON CONTROLLED SUBSTANCE HEALTH AND SAFETY CODE VIOLATIONS
MALM-VANDALISM
MARP-§ 11357 B HEALTH AND SAFETY CODE VIOLATIONS
MISP-MISSING PERSON CASES
MOTO-MOTORIST ASSIST
MSDS-MISC. DISTURBANCE
MSEP-EXTRA PATROL REQUEST
MSFD-NON CRIMINAL DOMESTIC DISTURBANCES
MSHZ-HAZARDS
MSIN-NON CRIMINAL INFORMATION
MSOA-OUTSIDE AGENCY ASSIST
MSOT-SERVICE TO CITIZEN
MSSC-SECURITY CHECK
MSVH-VACATION HOUSE CHECK
MSWC-WELFARE CHECK (NOT 9-1-1 HANG UP CALLS)
NARC-CONTROLLED SUBSTANCE VIOLATIONS
OAFC-CHILD ABUSE AND NEGLECT
PCOO-PENAL CODE VIOLATIONS NOT COVERED BY OTHER CLASSIFICATIONS
PHOO-CITY OF PLEASANT HILL MUNICIPAL CODE VIOLATIONS
PROF-FOUND PROPERTY
PROL-LOST PROPERTY
PROW-PROWLING VIOLATIONS (§ 647 PENAL CODE)
RAPE-§ 261 PENAL CODE AND RELATED SUBSECTIONS
REGS-REGISTRANTS (290 PC, ARSON, 11590 HS, etc)
REPO-REPOSSESSIONS
REST-RESTRAINING ORDERS LOGGED AT PHPD
RIDL-RIDE ALONG DOCUMENTATION
ROBB-§ 211 PENAL CODE
SEXX-ALL OTHER SEX OFFENSES NOT COVERED BY OTHER CLASSIFICATIONS
SUBP-SUBPOENA SERVICE REQUESTS
SUSC-SUSPICIOUS CIRCUMSTANCES
THGR-GRAND THEFTS
THOF-THEFTS OVER $50- RETAIL VALUE FOR SHOPLIFTERS AND FAIR MARKET VALUE FOR OTHER THEFTS
THOT- THEFTS OVER $200; SAME CRITERIA AS ABOVE
THUF-THEFTS UNDER $50; SAME CRITERIA AS ABOVE
THRX-§ 422 PENAL CODE VIOLATIONS
VCOO-VEHICLE CODE VIOLATIONS
VOID-CASE NUMBER OR EVENT DRAWN IN ERROR
WIOO-WELFARE AND INSTITUTIONS CODE EXCLUDING 5150WI
WOLF-9-1-1 HANG UPS
W911- 9-1-1 HANGUPS FROM CELL PHONES
WRNL-ARREST WARRANT FROM PHPD CASE
WRNO-ARREST WARRANTS
WRNX-OUT OF STATE WARRANTS (§ 1551 PENAL CODE ONLY)

327.6.3 MASTER CASE PROCEDURES
Some situations lead themselves to the master case procedure. In these situations there are multiple victims but it is apparent the same suspect(s) committed the crimes at approximately the same time and the crimes have been reported or discovered at about the same time, e.g., multiple companies which are tenants in an office building have been burglarized.

The following is the master case procedure:

(a) A separate case number for each victim but a single report narrative for all victims. The single report narrative will include a notation that it is a master case. All related case numbers will be listed in the report narrative.

(b) A separate face sheet or "Crime/Incident" report will be completed for each victim. This will include the case number specific to that victim. The narrative for this case should be very brief, indicating a master case has been completed and to see the master case for further information. Reference will be made to the master case number.

(c) A separate "Evidence/Property" sheet will be completed for each victim. This will include the case number specific to that victim.

327.6.4 CSO REPORTING DUTIES

(a) Community Service Officers may take reports in person or via telephone for misdemeanor violation cases not involving a known suspect as well as the below
felony cases not involving a known suspect. Community Service Officers may accept reports involving leads, as opposed to known suspects, for both misdemeanor violations and the below types of felony cases. Follow up on these cases will be conducted by police officers.

(b) Community Service Officers may accept the following types of cases:

1. The following felony violations: auto burglary, grand theft, vehicle theft without a suspect and not involving rented or leased vehicles, identity theft, shoplift burglaries involving unknown suspects or a suspect vehicle license plate only, and recovered stolen vehicles without an identified suspect.

2. Non injury collisions not involving DUI, an arrest, or issuance of a traffic citation.

3. Cases involving notification to the victim that a stolen vehicle has been recovered. Towing of vehicles per officer direction or per vehicle abatement procedures (22651 (k) VC).

4. Cases involving "leads" as opposed to substantive information to consider a person a "suspect" may be at least initially handled by Community Service Officers. For example, a crime involving a possible suspect vehicle license plate could be investigated by a Community Service Officer, including the preparation of a photo line up of the registered owner, but the contact with the owner or possible suspect would not be handled by the Community Service Officer.

5. Community Service Officers handling cases with "leads" will submit these reports to Patrol Division Watch Commanders who will determine if further follow up is warranted and then assign the follow up to a police officer or refer to the Investigations Division as appropriate.

(c) Community Service Officers will not handle the following types of cases:

1. Missing person cases

2. Domestic violence cases excluding the receipt of restraining orders at the counter (REST)

3. Collision reports other than ACCD classification reports and non injury collisions not involving an arrest, DUI, or issuance of a traffic citation.

4. All types of cases listed in § 344.5 of this policy.

(d) Watch Commanders are expected to monitor the calls handled by Community Service Officers and Watch Commanders may elect to have a call involving "leads" handled by police officers.
327.6.5 MISCELLANEOUS PROVISIONS
Cases involving §§ 14601 or 12500 Vehicle Code violations and accompanying felony controlled substance violations (excluding infraction marijuana violations) should be handled in the following manner:

The suspect may be booked at PHPD and released per § 849(b)(1) Penal Code pending the filing of charges upon the receipt of lab tests. (Large quantities of controlled substances and/or sales cases and the existence of presumptive tests or other information may warrant booking into the County Jail). If the suspect is released on the drug charges per 849(b)(1) PC the VC license charge should be completed on a citation, not signed by the arrestee, and attached to the report. In lieu of the arrestee signature, the officer will mark the "To Be Notified" box.

(a) An "Arrest Face Sheet" are required for all arrests in which the arrestee is physically taken into custody.

(b) Synopsis reports may be used for WRNL and WRNO cases. This assumes no other violations or unusual circumstances.

(c) Missing person cases may be classified as events in lieu of reports if the missing person returns or is located during the same shift on which the report was accepted. The entry of the person into the Missing Person System (MUPS) may preclude this and a synopsis report should then be used.

(d) Narratives for vehicles impounded for § 22651 (O) Vehicle Code may be in a synopsis format. Narratives for vehicles stored for § 22651 (K) Vehicle Code may be in a synopsis format.

(e) A synopsis report may be used for § 5150 Welfare and Institutions Code detentions not involving the use of force, injuries, and/or seizure of weapons. The purpose of the synopsis report is to properly identify the involved parties. The narrative may simply refer to the 5150 WI form for details.

(f) Reports are required for incidents in which a person was physically taken into custody by PHPD personnel on suspicion of committing a crime but then released in the field.

(g) Persons already in custody in other jurisdictions for whom an arrest warrant from a PHPD case has been issued and for whom PHPD transports will require a supplemental report to to the original case and an updated arrest sheet and arrest number.

327.6.6 OUT OF STATE WARRANTS

(a) Out of state warrants are not valid arrest warrants and only provide probable cause to arrest (§ 1551 Penal Code).

(b) Following is the criteria for subjects to be considered fugitives from another state:
   1. Charges must have been filed against the subject in another state.
Report Preparation

2. The charge against them must carry a punishment of more than one year in prison or it must be punishable by death.

(c) Officers should verify the originating jurisdiction is willing to extradite. Some jurisdictions will only extradite from surrounding states; this information is usually listed on the NCIC information associated with the warrant. Verification of willingness to extradite ideally should be accomplished prior to arrest.

(d) The following must be noted in the arrest report:

1. Means by which the arrestee was identified and name or admissions of identity by the arrestee. (Officers must admonish the in custody arrestee of his or her Miranda rights.)

2. The report narrative must establish the arrestee is the person listed on the arrest warrant. The arrestee should be questioned as to his or her knowledge of the arrest warrant and this should be documented.

3. Note if the arrestee is willing to waive extradition proceedings.

4. The Department maintains an agreement with the Contra Costa County Sheriff's Office for extradition/rendition of out of state warrants. The Investigations Division will coordinate proceedings with the Sheriff's Office.

(e) Other information which must be listed in the arrest report includes:

1. Probable cause for the stop or contact

2. Charge listed on the warrant, date the warrant was issued, court and issuing judge, and method by which the warrant was confirmed.

3. The classification is WRNX and the subject will be booked into the County Jail on a charge of § 1551.1 Penal Code and not on the warrant.

327.7 HOLDING OF REPORTS

Reports generally may be held on an officer's "Friday" pending the officer's return on "Monday" of the next work week. If the officer is taking time off during the next work week, for example, a vacation, and he or she will be unavailable as of "Tuesday" of the next work week, the reports will not be held. The following types of reports may be held: forgery and fraud cases in which the suspect is not in custody and narcotics violations cases in which the suspect has been released per § 849 (b) (1) Penal Code.

Suspects should still be booked into County Jail when possible and as appropriate.

Cases may be held which involve property or evidence but the property or evidence must be logged into the property room. Note: Cases involving found property and property taken for safekeeping will not be held - see below.

The following types of reports will not be held on an officer's Friday:
Report Preparation

(a) All in custody arrests

Exceptions:

1. Misdemeanor violations in which the suspect will be issued a citation release, e.g., § 647 (f) Penal Code violations, § 23152 Vehicle Code violations

2. Arrests for warrant violations only. (Note: Arrests for out of state warrants will not be held and these cases should be charged as § 1551 Penal Code violations.)

3. All felony cases in which a suspect has been identified and there is probable cause to arrest, excluding forgery and fraud cases

4. All domestic violence cases (misdemeanor or felony). (Note: all domestic violence cases will be referred to the District Attorney’s office for prosecution.)

5. All restraining order violations

6. All stalking cases

7. All missing person cases

8. All threats cases (§ 422 Penal Code)

9. All sexual assault cases, including misdemeanor sexual battery cases

10. All child abuse cases

11. All § 647.6 Penal Code cases

12. All elder abuse cases

13. All hate crimes (criminal and non criminal but reportable incidents)

14. All DUI cases

15. All cases involving the towing of a vehicle by PD personnel, including § 14601 Vehicle Code cases

16. All identity theft cases (§ 530.5 Penal Code)

17. All MSOA cases when another police agency has requested documentation or documentation is appropriate

18. All § 10851 Vehicle Code cases (stolen and recovered)

19. All vehicle pursuits

20. All cases involving the use of force by officers resulting in injury to officers, suspects, or other persons. Injury includes the complaint of pain or visible marks. § 148 Penal Code violations in which no one was injured will also not be held.

21. All collision reports involving City vehicles or City property

22. All serious injury or fatal collision cases

23. All suspicious death cases
24. All found property cases or cases in which property was taken for safekeeping
25. Any case in which a citizen's complaint is foreseen as reasonably likely
26. Any case per the reporting officer's judgment or discretion
27. Any case per the Watch Commander's discretion or instruction

327.7.1 ARREST NUMBERS
Arrest numbers will be assigned for all persons arrested for misdemeanor or felony violations. Arrest numbers will also be assigned for detentions including § 647 (g) Penal Code. The arrest number will be used for persons released in the field in lieu of being booked at PHPD with the following exceptions:

(a) Arrest numbers will not be issued for § 11357 (b) Health and Safety Code or § 23222 Vehicle Code violations.
(b) Arrest numbers will not be issued for persons issued a promise to appear in the field for Vehicle Code infraction warrants. Refer § 40304.5 Vehicle Code
(c) Arrest numbers will not be assigned for §12500 Vehicle Code violations. Arrest numbers are assigned for § 14601 Vehicle Code violations.
(d) Arrest numbers will not be assigned to § 5150 Welfare and Institution Code detainees.

327.8 ON LINE REPORTING
It is the policy of the Pleasant Hill Police Department to provide online Reporting Services to the community. This policy establishes guidelines and procedures to determine when the Online Reporting System will be used.

The Pleasant Hill Police Department will respond to in-progress incidents and all crimes with evidence or information, which may lead to the identity of a suspect and his/her apprehension, or if the incident just occurred and there is a likelihood the suspect may still be in the area.

When there are no reasonable investigative leads or identifying suspect information the following crimes and reports may be reported by means of the Online Reporting System:

(a) 653m PC, harassing or annoying telephone calls of an unwanted nature. Immediate hang-ups, obscene language with no known suspects that do not include the elements of a criminal threat.
(b) 20002 CVC, non injury hit and run accident. Damage caused by a vehicle and the driver fled the scene without exchanging required driver license, insurance and vehicle information. Does not include an accident requiring emergency medical treatment or in which there are investigative leads that would identify the responsible driver.
(c) 530.5 PC, identity theft. Acquiring someone else's personal identifying information and using it to obtain credit, goods, or services. No known suspects or further investigative leads identifying the suspect.
(d) Lost Property. When property is missing or lost with no evidence of theft.

(e) 484 PC, Petty thefts without identifying suspect information, excluding vehicle theft, firearms and materials threatening to public safety, i.e., explosives or highly toxic substances.

(f) 484 PC, Petty theft from a vehicle whose doors are unlocked or windows rolled down enough to allow entry without force and there are no reasonable investigative leads that would identify the suspect

(g) 594 PC, Vandalism, excluding hate crimes, in which there are no reasonable investigative leads that would identify the suspect and the damage is less than $1,000.

When department personnel receive a call from a citizen wishing to report an incident, they will determine if the call falls within the scope of an online report. If so, the department employee shall accept the report per current Department reporting practice when the reporting party or victim wishes to make the report in person (or via telephone as appropriate) or if the Department employee has determined the incident is not eligible or appropriate for online reporting.

Such reports will be assigned to a Department employee. The call taker will note in the CAD system relevant details such as "no internet access" or "RP requested in person report".

If Department personnel determine the incident is suitable for online reporting and the reporting party has access to the internet, Department personnel may inform the reporting party of the option to submit an online report allowing for immediate report filing and printing. Advise the caller of the police department website address, which will provide them with the link to the online reporting system.

- The on duty Watch Commander will review the reports and import acceptable reports in the Online Reporting System queue during their shift. If the citizen report is misclassified, such as vandalism, instead of an auto burglary, the Watch Commander will classify the report according to the elements of the offense described by the reporting party.

- The Watch Commander will refrain from making grammatical corrections to online reports, unless they are minor in nature, such as, "California" spelled as "Calefournia," etc. If the Watch Commander determines the report was misclassified, it may be modified to fit the most appropriate section.

- If there is a question as to the reports content the reviewer should attempt to contact the report citizen by telephone prior to rejecting the report and make the correction to the Online Report.

- If the citizen is reporting an incident that is minor in nature and occurred in another jurisdiction and the citizen is a resident of our city the report may be re-classified as an outside assist and approved.
Report Preparation

- If a Watch Commander rejects a report, the reason for rejection will be appropriately and professionally noted in the rejection box, which is sent via e-mail to the citizen and a duplicate to a department storage mailbox.

- When in the reasonable judgment of the Watch Commander circumstances indicate an investigation is warranted the Watch Commander shall accept the citizen report and generate a supplemental follow up report and assign an officer to contact the reporting party. In this circumstance, notice should be sent to the citizen via the online reporting system indicating follow up response will be made by the department.

327.9   RPW PROCEDURES FOR LINE PERSONNEL

When a case number has been generated from dispatch the report will appear on the employee's list of reports in RX/RPW. The officer or employee is responsible for all reports assigned to them on their list in RX/RPW.

The employee is responsible for the accuracy of all the data that is on the report at the time it is submitted to his/her supervisor.

Employees will search for duplicate names, vehicles, and property prior to adding new items into RPW to reduce the number of duplicate entries.

The synopsis field should be a summary of the case if this is not a synopsis report.

All property not entered into File on Q must be entered into the property fields. This includes stolen property. Additionally, stolen property which has been returned to the owner must be noted.

If there are hard copy attachments to the report add this to the "Comment" field on the "Case" screen and turn in the attachments to the report review tray in the Patrol Division. The case number should be noted on the upper right hand corner of each page of the attachments.

Completed reports are to be submitted to the on duty supervisor.

Patrol Division employees are responsible for completing as much information pertaining to the involved persons, property, vehicles, and location as possible, but will minimally complete the following fields in each tab of the report writing program.

<table>
<thead>
<tr>
<th>CASE</th>
<th>NAME</th>
<th>ARREST</th>
<th>VEHICLE</th>
<th>PROPERTY</th>
<th>DISPO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Case Section</td>
<td>Involvement</td>
<td>Booking</td>
<td>Involvement</td>
<td>Involvement</td>
<td>Officer</td>
</tr>
<tr>
<td>Report Type</td>
<td>Last Name</td>
<td>Arrest Date</td>
<td>License</td>
<td>Category</td>
<td>Typed By</td>
</tr>
<tr>
<td>Occurred From</td>
<td>First Name</td>
<td>Arrest Time</td>
<td>License State</td>
<td>Article</td>
<td>Date</td>
</tr>
<tr>
<td>Occurred To</td>
<td>Middle Name</td>
<td>Arrested By</td>
<td>Year of Vehicle</td>
<td>Brand</td>
<td>UCR Dispo</td>
</tr>
<tr>
<td>Address</td>
<td>Suffix</td>
<td>Arrest Location</td>
<td>Make</td>
<td>Model</td>
<td></td>
</tr>
<tr>
<td>PD Dispo</td>
<td>Sex</td>
<td>Transported By</td>
<td>Officer</td>
<td>OAN</td>
<td></td>
</tr>
<tr>
<td>Synopsis</td>
<td>DOB</td>
<td>Charge</td>
<td>Description</td>
<td>Serial Number</td>
<td></td>
</tr>
</tbody>
</table>
### Report Preparation

<table>
<thead>
<tr>
<th></th>
<th>Height</th>
<th>Warrant Number</th>
<th>Related Person</th>
<th>Quantity</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Weight</td>
<td>Court</td>
<td>Relationship</td>
<td>Value</td>
</tr>
<tr>
<td></td>
<td>Hair</td>
<td>Bail</td>
<td>Dispo</td>
<td>UCR</td>
</tr>
<tr>
<td></td>
<td>Eyes</td>
<td>Judicial District</td>
<td>UCR</td>
<td>Class</td>
</tr>
<tr>
<td></td>
<td>Address Type</td>
<td>Judge</td>
<td>UCR Dispo</td>
<td>Officer</td>
</tr>
<tr>
<td></td>
<td>Phone Number</td>
<td>Date Issued</td>
<td>Color</td>
<td>Description</td>
</tr>
<tr>
<td></td>
<td>Address</td>
<td>Disposition</td>
<td>Value</td>
<td>Relationship</td>
</tr>
<tr>
<td></td>
<td>ID Type</td>
<td>Status</td>
<td>Model</td>
<td>Relationship</td>
</tr>
<tr>
<td></td>
<td>ID Number</td>
<td>Stored At</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Note: UCR Codes and property values are only entered for Stolen and Recovered items. These fields will remain empty for all other types of property.

#### 327.9.1 RPW PENDING REPORT

Reports that are not completed during the officer's shift and that are not required to be completed before going off duty (per Section 344.6) may be held at the discretion of the watch commander.

Employees holding or pending a report, will complete in RX/RPW the names, vehicles, and property sections. The SYNOPSIS section must be completed.

Employees will use the "comment" field on the case tab screen to indicate a report is pending and the reason for the hold. The following are some examples:

- Request to pend additional follow up needed
- Request to pend need to show photo lineup
- Request to pend additional witnesses to contact.

Hard copy attachments for a pending report must be attached to a hold slip approved by a supervisor. The attachments will be turned into the Patrol Division in box or Hold box.

Supervisors will use the "Refresh Reports" button on RPW and then selecting "All Unapproved" and employee ID to determine the status of reports and to check for requests for held reports.

#### 327.9.2 SUPERVISORY RPW PROCEDURES

The supervisor is responsible for ensuring that employees have accurately completed their reports in RPW. Mandatory fields must be completed. For example, if a name does not list an address or date of birth there should be an explanation, e.g., "R/O of vehicle. These comments can be added to the comments fields in the name section. Supervisors will confirm the arrest screen shows the disposition of the arrest and all charges match the charges listed on the PHPD Arrest/Booking
form and/or County Jail Booking form. All warrant information must be entered prior to approval of the report. Warrants will be entered as O/W-M, O/W-F, B/W-M, OR B/W-F and will not list the arresting charges.

Upon approval of the report, if there are attachments including citations, CHP180's, or photocopies, supervisors will note in the "Comments" field of what the attachments are prior to approving the report. The attachments must be turned over to the Services Division. The report will not be processed until records division has received the attachments. Generally, Patrol Division supervisors will approve reports only for those officers assigned to their teams. When an officer is working overtime for a shift they will route their reports to the on-duty supervisor for approval. Reports requiring review prior to an employee going off-duty will be submitted to the on duty supervisor. All reports that are going to be held must have approval from the on-duty watch commander. The requirements of 344.6 of the Policy Manual will be followed.

327.9.3  CABS/BOOKING AND RPW
When booking an arrestee, an officer will log onto RPW in booking and verify all the personal information and arrest charges are correct prior to the information being sent to CABS. Once the information is verified, the officer will transfer the information to CABS using the CABS button in the lower right corner of the arrest screen.

The information in RPW, CABS, and Indentix should match on every report. The arrest information in Identix is the information that is listed on the individual's criminal history report.

327.9.4  SERVICES DIVISION AND RPW
It is the dispatcher's responsibility to assign case numbers when requested and enter arrest information into RPW name and arrest tabs. Once a case is drawn, it is the dispatcher's responsibility to enter the names of arrested persons into RPW, searching to insure no duplicate entries are made. The dispatcher has the option to enter arrest charges, if known. It is the officer's responsibility to insure all arrest charges are correct in RPW prior to the information being sent to CABS.

Warrant arrest entries shall be entered into the charges section by the dispatcher, including warrant numbers. For WRNL (local warrant issued as a result of one of OUR cases) arrests in which a supp. report is added to the original case and the original arrest date and time are now different, the date and location of the arrest must be updated. Dispatchers will print associated documents, e.g., DL records, registration records, warrants, raps, etc. and putting the case number and other pertinent information (arrest numbers, etc.) on these documents. Dispatchers will update the arrest log, and can enter the correct charges on the arrest log by obtaining it from RPW once the officer has completed booking.

The following is a step by step checklist for report logging:

•  Check the "All Records Review" file daily, updating the report log book with any new entries. Hit the refresh key to access and find any newly reviewed reports. This is your incoming report tray.
Report Preparation

- Retrieve printouts and supporting documents from the incoming tray presently located on the CSO desk.
- Associate E-COMM printouts with other supporting documents (e.g., Arrest sheets, 5150 forms, CHP180’s, etc).
- Pull case folders and place supporting documents in folder.
- Check "All Records Review", if report is in Records (REC) status, then it is ready for processing. If the report is not listed under "All Records Review", then it is not in "REC" status and is not ready for processing.
- If the report is ready to process, place the paperwork in a case folder and log the case into the logbook, filling in "CLASS", "DISPO", "SUP DOCS", and "DATE LOGGED". Place the file on the Dispatcher I’s desk for processing.
  - If the report is not on the "All Records Review" Screen (not ready for processing), place the printouts and supporting documents in the case folder and put it in the "Supporting Documents" slot on the Dispatcher I’s desk. Make an "X" in the logbook indicating there are supporting documents.
  - The "X" indicates where to look for the case folder. It will be in the supp doc's slot of the D-1 desk file.
- Check "All Records Review" for all other reports that have been reviewed and are ready to process. Log these in using the same report log entries as above, minus the "X" under "SUP DOCS" if there are no supporting documents.
- Pull the appropriate case folder and place the folder in the "To Be Processed" slot of the file holder on the Dispatcher I’s desk.

The Dispatcher I’s will maintain the report logbook by periodically checking the log entries and determining if the reports are still pending review, in correction hold box, or belong to detective cases. Pull case folders for detective cases and forward to investigations. Close out all completed reports adding date/ID number.

- Mail CHP180 forms to both the Registered and Legal owners on all Towed/Impounded vehicles.
- Mail court copies of signed "Promise to Appear" notices to the appropriate courts. Be sure the "Promise to Appear" lists the new court date.

Dispatcher I’s shall process all completed/reviewed reports, making all necessary data entries, ensuring accuracy of officer entries, and correcting any duplication of entries. (see later section for handling reports with errors/omissions). It shall be the Dispatcher I’s responsibility to verify the required UCR data entry, premise codes and Disposition codes.

- Dispatcher I’s shall make appropriate copies for CT/DA/Def etc. on cases being forwarded to the DA for prosecution.
Report Preparation

- Copies of CHP 180's for auto theft/recoveries and domestic violence reports for CCCSO.
- Copies of accident reports (except ACCP and ACCD) for CHP and City Hall.
- Copies of out of county warrants with JUS 8715 form when appropriate.

When errors are found in a report being processed by a Dispatcher I, the Dispatcher I will complete the processing to the best of their ability and then forward the report to the Records Supervisor for review. The Dispatcher I will move the report into the comments (CMT) section of RPW, which will remove the report from the "All Records Review" list. The Dispatcher I will place the original case file in the Correction/Hold box, making comments in the "comments" field of the report regarding the errors that were noted. E mail or handwritten notes may also be used.

To move a case to comments "CMT" status, highlight the case then click "Take off list". Select "Hold for Review", the status will then change to CMT. Be sure to place the case folder into the Correction Hold box for review.

The function of the Report Review and DI position is to ensure appropriate data entry per this policy, DOJ reporting guidelines, and state law. If the Report Review employee or DI finds errors in a report, this employee may make the necessary changes as long as the narrative content of the report is not changed. Changes will be made in accordance with 344.42, above. When errors are noted by Report Review or DI that cannot be immediately fixed, the report will be moved to CMT status and routed to the Support Services Supervisor for resolution. The Support Services Supervisor will act per the direction of the Services Division Commander. The Support Services Supervisor may act as the Report Review employee.

If the Support Services Supervisor determines a report needs to be corrected, the Support Service Supervisor will leave the report in CMT status and notify the Support Services Division Commander. The Support Services Division Commander will notify the affected Division Commander and supervisor of the issue via RPW and e mail. This procedure will also be used for RTAs from the DA's office and for improperly booked property.

The report will remain in CMT status until the corrections have been made or the situation has been resolved. The Records Supervisor may then return the report to REC for processing by a DI. See also 344.42.

327.9.5 COLLISION REPORTS AND RPW
Sketches are not required for collision reports other than serious injury or fatal collisions.

For serious injury and fatal collisions: when an officer turns in an collision report for review and the report is approved, print the report prior to closing the case. Make a notation in the "Comments" box that the report has been returned to the officer for a sketch and place the hard copy of the report in the officer's mailbox. Once the officer has completed the sketch they will turn in the completed report to the records tray in the front office.
Collision supplements will be written on the case narrative. The system does not allow for the printing of additional witness names on supplements. If there are no additional names to add to the report, the officer may write the supplement in the Traffic Collision report section of RX/RPW.

When a person involved in a collision is arrested (DUI, Hit/Run), the original collision report will be completed on Supplement 2 and the arrest report will be completed on the primary report. Arrest and collision narratives will not be written in the same report.
Media Relations

328.1 PURPOSE AND SCOPE
This policy provides guidelines for media releases and media access to scenes of disasters, criminal investigations, emergencies and other law enforcement activities.

328.2 RESPONSIBILITIES
The ultimate authority and responsibility for the release of information to the media shall remain with the Chief of Police, however, in situations not warranting immediate notice to the Chief of Police and in situations where the Chief of Police has given prior approval, Division Commanders, Watch Commanders and designated Press Information Officer(s) may prepare and release information to the media in accordance with this policy and the applicable law.

328.2.1 MEDIA REQUEST
Any media request for information or access to a law enforcement situation shall be referred to the designated department media representative, or if unavailable, to the first available supervisor. Prior to releasing any information to the media, employees shall consider the following:

(a) At no time shall any employee of this department make any comment or release any official information to the media without prior approval from a supervisor or the designated department media representative;

(b) In situations involving multiple law enforcement agencies, every reasonable effort should be made to coordinate media releases with the authorized representative of each involved agency prior to the release of any information by this department;

(c) Under no circumstance should any member of this department make any comment(s) to the media regarding any law enforcement incident not involving this department without prior approval of the Chief of Police.

(d) Any media inquiry regarding any Department policy, procedure, or practice should be directed to the Chief of Police or his/her designee.

328.3 MEDIA ACCESS
Authorized members of the media shall be provided access to scenes of disasters, criminal investigations, emergencies and other law enforcement activities subject to the following conditions (Penal Code § 409.5(d)):

(a) The media representative shall produce valid press credentials that shall be prominently displayed at all times while in areas otherwise closed to the public.

(b) Media representatives may be prevented from interfering with emergency operations and criminal investigations.

1. Reasonable effort should be made to provide a safe staging area for the media that is near the incident and that will not interfere with emergency or
criminal investigation operations. All information released to the media should be coordinated through the department Press Information Officer or other designated spokesperson.

2. Whenever the presence of media or other aircraft pose a threat to public or officer safety or significantly hampers incident operations, the field supervisor should consider requesting a Temporary Flight Restriction (TFR). All requests for a TFR should be routed through the Watch Commander. The TFR request should include specific information regarding the perimeter and altitude necessary for the incident and should be requested through the appropriate control tower. If the control tower is not known, the Federal Aviation Administration should be contacted (14 CFR 91.137).

(c) No member of this department who is under investigation shall be subjected to media visits or interviews without the consent of the involved employee (Government Code § 3303(e)).

(d) Media interviews with individuals who are in custody should not be permitted without the approval of the Chief of Police and the express consent of the person in custody.

A tactical operation should be handled in the same manner as a crime scene, except the news media shall be permitted within the outer perimeter of the scene, subject to any restrictions as determined by the supervisor in charge. Department members shall not jeopardize a tactical operation in order to accommodate the news media. All comments to the media shall be coordinated through a supervisor or the Press Information Officer.

328.3.1 PROVIDING ADVANCE INFORMATION
To protect the safety and rights of officers and other persons, advance information about planned actions by law enforcement personnel, such as movement of persons in custody or the execution of an arrest or search warrant, should not be disclosed to the news media, nor should media representatives be invited to be present at such actions except with the prior approval of the Chief of Police.

Any exceptions to the above should only be considered for the furtherance of legitimate law enforcement purposes. Prior to approving any exception the Chief of Police will consider, at minimum, whether the release of information or presence of the media would unreasonably endanger any individual, prejudice the rights of any person or is otherwise prohibited by law.

328.4 SCOPE OF INFORMATION SUBJECT TO RELEASE
The Department will maintain a daily information log of significant law enforcement activities that shall be made available, upon request, to media representatives through the Watch Commander. This log will generally contain the following information:

(a) The date, time, location, case number, type of crime, extent of injury or loss, and names of individuals (except confidential informants) involved in crimes occurring within this jurisdiction unless the release of such information would endanger the
safety of any individual or jeopardize the successful completion of any ongoing investigation

(b) The date, time, location, case number, name, birth date and charges for each person arrested by this department unless the release of such information would endanger the safety of any individual or jeopardize the successful completion of any ongoing investigation

(c) The time and location of other significant law enforcement activities or requests for service with a brief summary of the incident subject to the restrictions of this policy and applicable law

At no time shall identifying information pertaining to a juvenile arrestee (13 years of age and under), victim or witness be publicly released without prior approval of a competent court. The identity of a minor 14 years of age or older shall not be publicly disclosed unless the minor has been arrested for a serious felony and the release of such information has been approved by the Watch Commander (Welfare and Institutions Code § 827.5).

Identifying information concerning deceased individuals shall not be released to the media until notification of next of kin or otherwise cleared through the Coroner's Office.

Any requests for copies of related reports or additional information not contained in this log shall be referred to the designated department media representative, the custodian of records, or if unavailable, to the Watch Commander. Such requests will generally be processed in accordance with the provisions of the Public Records Act (Government Code § 6250, et seq.).

328.4.1 RESTRICTED INFORMATION
It shall be the responsibility of the authorized employee dealing with media requests to ensure that restricted information is not inappropriately released to the media by this department. When in doubt, authorized and available legal counsel should be obtained. Examples of such restricted information include, but are not limited to:

(a) Confidential peace officer personnel information (See Policy Manual § 1026)

   1. The identities of officers involved in shootings or other major incidents may only be released to the media pursuant to consent of the involved officer or upon a formal request filed and processed in accordance with the Public Records Act.

(b) Copies of traffic collision reports (except to the involved parties and their authorized representatives) (Vehicle Code § 20012)

(c) Criminal history information

(d) Information that would tend to endanger the safety of any individual or jeopardize the successful completion of any ongoing investigation

(e) Information pertaining to pending litigation involving this department

(f) Information obtained in confidence
(g) Any information that is otherwise privileged or restricted under state or federal law. (Government Code § 6254(k)).
Report Review/Case Assignments

329.1 PURPOSE AND SCOPE
This policy establishes the policy and procedure for the review of cases by the Investigations Division and the subsequent assigning of cases to a specific detective for investigation.

329.2 POLICY
It is the policy of this Department that the review of cases for possible follow-up investigation by a detective is the responsibility of the Investigations Division Commander, or designee.

It is also the policy of the Division that follow-up investigations will normally be assigned by crime classification to the investigator whose primary responsibility is the investigation of that classification. However, this does not preclude cases from being assigned to any investigator, regardless of classification, based upon the workload or needs of the Division.

329.3 PROCEDURES
(a) With the exception of some crimes against children and some worthless document cases, the Investigations Division will normally conduct follow-up investigations only when they involve crimes that are felonies.

(b) The Division Commander, or designee, will normally review all felony cases for detective assignment.

(c) At the discretion of the person reviewing the cases, those incidents which appear to have leads which can be followed up, or which involve circumstances which require the Department to make every effort to identify and prosecute the responsible person(s), will be assigned to an investigator.
Trespass Authorization Letter

329.1 PURPOSE AND SCOPE
The Pleasant Hill Police Department has adopted this policy in an effort to enhance the safety and security of property owners within the City of Pleasant Hill. The purpose of this Policy is to provide a written procedure for enforcing trespass laws for persons, who have engaged in activities that threaten the health, safety, welfare, or property rights of citizens and property owners.

329.2 PROCEDURE
When a property owner has reported a recurring problem with trespassing, he or she should be advised of the Trespass Letter Policy and the below guidelines:

Business Property Owners: An updated Trespass Arrest Authorization must be signed and on file at the Pleasant Hill Police Department. It must be renewed every 12 months. For after hours trespassing cases, the property must be posted with a sign prohibiting trespassing that is clearly visible to the trespasser. The sign must include the hours the business is open/closed. During regular business hours, the property owner will be required to sign a private person's arrest form to arrest a trespasser on the property.

Residential Property Owners: An updated Trespass Arrest Authorization must be signed and on file at the Pleasant Hill Police Department. It must be renewed every six months. The residential property must be posted with a sign prohibiting trespassing except for owners, tenants or their invited guests.

In addition to these requirements, the property owner may also be required to appear in court if a person is arrested on the property for trespassing. If the property meets these requirements, and the property owner agrees to all the conditions, they must complete the Trespass Arrest Authorization and return it to the Pleasant Hill Police Department.

When an Arrest Authorization Letter is received by the department a case number will be drawn and classified as a PCOO and the responding officer will write a minimum of a synopsis report. A copy of the letter will be forwarded to the case file by the officer. Letters have a 12 month arrest expiration.

The form is a 3 part form (one copy for the PD, one for the property owner, and one for the unwanted person, if present.) The letter has a space for indicating upon whom the letter was served. If the letter is directed at one or more specific person(s), the letter must show a proof of service to the individual(s) before submitting the Arrest Authorization Letter to the Services Division.

Services personnel will ensure the original letter is placed in the case file. Services personnel will also place a copy of the letter in a binder in dispatch. The binder will be organized alphabetically by street address name and number.
Trespass Authorization Letter

Services personnel will enter an alert in the alpha field for persons who have been served with the letter. An alert field, "602 ADVISED", will be indicated. Personnel processing reports will check the alpha entry when processing the case to be sure the alert has been entered with the date of the letter. Services personnel will also update the Address Information (AI) file to indicate the letter is on file.

Officers making arrests based upon the existence of the letter must inquire with the dispatcher for an alpha check or address check to confirm the letter is on file and that it complies with the requirements listed above. Dispatch will confirm the letter is on file and complies with the provisions of this policy.

Binders will be maintained for a two year period (34090 GC) by the Services Supervisor.
Court Appearance And Subpoenas

330.1 PURPOSE AND SCOPE
This procedure has been established to provide for the acceptance of subpoenas and to ensure that employees appear when subpoenaed, or are available to appear in court when requested and present a professional appearance.

330.1.1 DEFINITIONS
On-Call - When an employee has appeared in court, or is at the time on-duty, and has been told by a member of the court that he/she is free to leave the court or return to duty, subject to being available by phone or pager if called back.

Mandatory Appearance - Subpoenas marked as mandatory appearance require an employee's physical appearance in the specified court. Failure to timely appear in the specified court, either intentionally or by negligence, may result in disciplinary action.

330.2 COURT SUBPOENAS
Employees who receive subpoenas related to their employment with this department are subject to the provisions of this policy. Employees should be aware that their compliance is mandatory on all cases for which they have been properly subpoenaed, or properly notified. This policy applies to civil and criminal subpoenas. Employees are expected to cooperate with the prosecution to ensure the successful conclusion of a case.

330.2.1 REFUSAL OF SUBPOENA
Valid reason for not accepting subpoenas includes illness, previously approved training schools, and vacations totaling one work week or more, which are scheduled and approved, before receipt of the subpoena. Regular scheduled days off are generally not valid reasons for refusing the subpoena or missing court, see below for further. Supervisory approval is necessary for the refusal of any subpoena, see below for further.

Officers should submit a Subpoena Declaration for any time off request if the employee seeks not to appear in court (see below).

If refusing the subpoena is justified, the subpoena needs to be promptly returned to the Subpoena Clerk with a specified reason for refusal as well as the dates when the officer will become available. The employee will complete the Subpoena Declaration form and it must be approved by an employee's direct supervisor and Division Commander. The subpoena clerk will not contact the D.A. or Traffic Court without receipt of the Subpoena Declaration form signed by both the supervisor and Division Commander or per verbal Division Commander approval. It shall then become the responsibility of the subpoena clerk to notify the assigned Deputy D.A. or other attorney of record of the unavailability of the employee.

Subpoena Declarations for criminal court involving the employee's regular days off (RDO) will be reviewed on a case by case basis. The Division Commander may approve Subpoena Declarations for an employee's regularly scheduled day off under certain circumstances, such as pre arranged...
time off outside of the area, out of town training, mandatory training, and military service. The declaration must be approved prior to receiving the subpoena. Subpoena declarations otherwise will not be approved for an employee's RDO.

Subpoena Declarations will generally not be approved for in house training dates except in unusual cases, e.g., subpoenaed employee is an instructor. It is the responsibility of personnel who have already been served with a criminal court subpoena to appear in court or coordinate their appearance with the District Attorney's office if a Subpoena Declaration is completed after the service of a subpoena.

Subpoena Declarations for Traffic Court must be submitted 21 days in advance of the dates covered by the declaration.

Subpoena declarations will not be approved more than once for a Traffic Court appearance.

It is the responsibility of personnel who have already been served with a criminal court subpoena to appear in court or coordinate their appearance with the District Attorney's office if the employee wishes not to appear; Subpoena Declarations will not be approved for persons already served with criminal court subpoenas except in unusual situations, e.g., injured employee.

Personnel served with a subpoena not meeting the above provisions for a declaration are obligated to appear per the subpoena. However, in unusual situations, the Division Commander may authorize the issuance of a Subpoena Declaration provided sufficient cause exists.

Watch Commanders will maintain a log book, to be kept in the Briefing Room, documenting service of Traffic Court subpoenas.

If the immediate supervisor or other authorized individual knows that he/she will be unable to deliver a copy of the subpoena to the named employee within sufficient time for the named employee to comply with the subpoena, the supervisor or other authorized individual may refuse to accept service (Penal Code § 1328(d)). If a subpoena is presented for service to an immediate supervisor or other authorized individual less than five working days prior to the date listed for an appearance and the supervisor or other authorized individual is not reasonably certain that the service can be completed, he/she may refuse to accept service (Penal Code § 1328(e)). If, after initially accepting service of a subpoena, a supervisor or other authorized individual determines that he/she will be unable to deliver a copy of the subpoena to the individually named employee within sufficient time for the named employee to comply with the subpoena, the supervisor or the subpoena clerk shall notify the server or the attorney named on the subpoena of such not less than 48 hours prior to the date listed for the appearance (Penal Code § 1328(f)).

330.2.2 COURT STANDBY
If an employee on standby changes his/her location during the day, the employee shall notify the subpoena clerk of how he/she can be reached by telephone. Employees are required to remain on standby each day the case is trailing.
Court Appearance And Subpoenas

Department staff will request new subpoenas be issued for personnel in the event a case is trailed and the Deputy District Attorney has not personally notified an already subpoenaed employee he or she is on standby status.

In a criminal case the Deputy District Attorney handling the case is the only person authorized to excuse an employee from standby status.

330.2.3 OFF-DUTY RELATED SUBPOENAS
Employees receiving valid subpoenas for actions taken off-duty not related to their employment with Pleasant Hill Police Department shall comply with the requirements of the subpoena. Employees receiving these subpoenas are not compensated for their appearance and arrangements for time off shall be coordinated through their immediate supervisor.

330.2.4 FAILURE TO APPEAR
Any employee who fails to comply with the terms of any valid and properly served subpoena may be subject to discipline as well as court imposed civil and/or criminal sanctions.

Failure to appear in Traffic Court may subject an employee to discipline.

330.3 CIVIL SUBPOENAS
The Department will compensate employees who appear in their official capacity on civil matters arising out of the employee’s official duties as directed by the current Memorandum of Understanding. In such situations, the Department will also reimburse any officer for reasonable and necessary travel expenses.

The Department will receive reimbursement for the officer's compensation through the civil attorney of record who subpoenaed the officer.

330.3.1 SPECIAL NOTIFICATION REQUIREMENTS
Any member who is subpoenaed to testify, agrees to testify or provides information on behalf of or at the request of any party other than the City Attorney or the prosecutor shall notify his/her immediate supervisor without delay regarding:

(a) Any civil case where the City or one of its members, as a result of his/her official capacity, is a party.

(b) Any civil case where any other city, county, state or federal unit of government or a member of any such unit of government, as a result of his/her official capacity, is a party.

(c) Any criminal proceeding where the member is called to testify or provide information on behalf of the defense.

(d) Any civil action stemming from the member’s on-duty activity or because of his/her association with the Pleasant Hill Police Department.

(e) Any personnel or disciplinary matter when called to testify or to provide information by a government entity other than the Pleasant Hill Police Department.
Court Appearance And Subpoenas

The supervisor will then notify the Chief of Police and the appropriate prosecuting attorney as may be indicated by the case. The Chief of Police should determine if additional legal support is necessary.

No member shall be retaliated against for testifying in any matter.

330.3.2 CIVIL SUBPOENA ACCEPTANCE
Subpoenas shall not be accepted in a civil action in which the officer or Department is not a party without properly posted fees pursuant to Government Code § 68097.6.

330.3.3 PARTY MUST DEPOSIT FUNDS
The party in the civil action who seeks to subpoena an officer must deposit the statutory fee of $275 (Government Code § 68097.2) for each appearance before such subpoena will be accepted. Parties seeking to have the officer make multiple appearances must make an additional deposit in advance.

330.4 OVERTIME APPEARANCES
If the officer appeared on his/her off-duty time, he/she will be compensated in accordance with the current employee Memorandum of Understanding.

330.5 COURTROOM PROTOCOL
Employees must be punctual when appearing in court and shall be prepared to proceed immediately with the case for which they are subpoenaed.

330.5.1 PREPARATION FOR TESTIMONY
Before the date of testifying, the subpoenaed officer shall request a copy of relevant reports and become familiar with their content in order to be prepared for court.

330.5.2 COURTROOM ATTIRE
Employees shall dress in uniform or business attire. Suitable business attire for men is a dress shirt, tie, dress pants, and dress shoes. Suitable business attire for female employees would consist of a dress shirt or blouse, skirt or slacks, and appropriate shoes. Dress jackets are recommended for both male and female officers who appear in business attire.

Pullover polo style shirts are not acceptable courtroom attire, including for Traffic Court appearances.

The BDU or utility uniform is not to be worn for court appearances except for the following:

(a) During inclement weather;

(b) The officer is assigned to Team 3 or Team 4 and he/she has a 1730 hours Traffic Court appearance or;

(c) The officer is assigned to Team 3 or 4 and he/she is still on duty on overtime due to a staffing shortage on Team 1 or Team 2.
The PDU uniform may be worn for court appearances.

330.6 COURTHOUSE DECORUM
Employees shall observe all rules of the court in which they are appearing, refrain from smoking or chewing gum in the courtroom, and shall remain alert to changes in the assigned courtroom where their matter is to be heard.

330.7 TESTIFYING AGAINST THE INTEREST OF THE PEOPLE OF THE STATE
Any member or employee who is subpoenaed to testify, who has agreed to testify, or who anticipates testifying or providing information on behalf of or at the request of any party other than the People of the State of California, any county, any city, or any of their officers and employees in which any of those entities are parties, will notify their immediate supervisor without delay. The supervisor will then notify the Chief of Police, District Attorney's Office in criminal cases, County Counsel or City Attorney, as may be indicated by the case.

This includes, but is not limited to the following situations:

(a) Providing testimony or information for the defense in any criminal trial or proceeding;
(b) Providing testimony or information for the plaintiff in a civil proceeding against any county, any city, or their officers and employees; or
(c) Providing testimony or information on behalf of or at the request of any party other than any County, city, or any county or city official in any administrative proceeding, including but not limited to personnel and/or disciplinary matter.
Reserve Officers

331.1 PURPOSE AND SCOPE
The Pleasant Hill Police Department Reserve Unit was established to supplement and assist regular sworn police officers in their duties. This unit provides professional, sworn volunteer reserve officers who can augment regular staffing levels.

331.2 SELECTION & APPOINTMENT OF POLICE RESERVE OFFICERS_DEPUTIES
The Pleasant Hill Police Department shall endeavor to recruit and appoint to the Reserve Unit only those applicants who meet the high ethical, moral and professional standards set forth by this department.

331.2.1 PROCEDURE
All applicants shall be required to meet and pass the same pre-employment procedures as regular police officers before appointment.

Before appointment to the Police Reserve Unit, an applicant must have completed, or be in the process of completing the POST approved course or regimen of training.

331.2.2 APPOINTMENT
Applicants who are selected for appointment to the Police Reserve Unit shall, on the recommendation of the Chief of Police, be sworn in by the Chief of Police and take a loyalty oath to observe and obey all of the laws of the land and to carry out their duties to the best of their ability.

331.2.3 COMPENSATION FOR POLICE RESERVE OFFICERS
Equipment for reserve officers is provided as follows:

All reserve officer appointees are issued two sets of uniforms (one class B and one BDU uniform) and all designated attire and safety equipment. All property issued to the reserve officer shall be returned to the Department upon termination or resignation.

331.3 DUTIES OF RESERVE OFFICERS
Reserve officers assist regular officers in the enforcement of laws and in maintaining peace and order within the community. Assignments of reserve officers will usually be to augment the Patrol Division. Level II reserve officers may be assigned to other areas within the Department, as needed.

All Reserve officers are required to work a minimum of 10 hours per month. Level I reserve officers are required to work a minimum of 16 hours per month. Level II reserve officers are required to work a minimum of 10 hours per month.

Support duties include:

(a) Transportation and booking of prisoners. (Level I reserve officers may perform solo transports.)
Reserve Officers

(b) Periodic assignments for directed patrol in specific areas or surveillance (Level 1 reserve officers only).

(c) Crime scene security

(d) Traffic or crowd control at special events

Following are minimum training and hourly requirements:

<table>
<thead>
<tr>
<th>Requirements</th>
<th>Level I</th>
<th>Level II</th>
<th>Level III</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Hours Monthly</td>
<td>16</td>
<td>9</td>
<td>9</td>
</tr>
<tr>
<td>Patrol Hours</td>
<td>16</td>
<td>10</td>
<td>N/A</td>
</tr>
<tr>
<td>CPT</td>
<td>24</td>
<td>24</td>
<td>N/A</td>
</tr>
<tr>
<td>PSP</td>
<td>Regular Officer</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Solo Patrol</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Second Officer with Regular in the Same Car/Assignment</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Crime Scene</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Transport</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
</tr>
</tbody>
</table>

331.3.1 POLICY COMPLIANCE
Police reserve officers shall be required to adhere to all departmental policies and procedures. A copy of the policies and procedures will be made available to each reserve officer upon appointment and he/she shall become thoroughly familiar with these policies.

Whenever a rule, regulation, or guideline in this manual refers to a sworn regular full-time officer, it shall also apply to a sworn reserve officer unless by its nature it is inapplicable.

331.3.2 RESERVE OFFICER ASSIGNMENTS
All reserve officers will be assigned to duties by the Reserve Coordinator or his/her designee.

331.3.3 RESERVE COORDINATOR
The Chief of Police shall delegate the responsibility for administering the Reserve Officer Program to a Reserve Coordinator.

The Reserve Coordinator shall have the responsibility of, but not be limited to:

(a) Assignment of reserve personnel

(b) Conducting reserve meetings

(c) Establishing and maintaining a reserve call-out roster

(d) Maintaining and ensuring performance evaluations are completed

(e) Monitoring individual reserve officer performance

(f) Monitoring overall Reserve Program
Reserve Officers

(g) Maintaining liaison with other agency Reserve Coordinators

331.4 FIELD TRAINING
Penal Code § 832.6(a)(2) requires Level I reserve officers, who have not been released from the immediate supervision requirement per Policy Manual § 350.4.7, to work under the immediate supervision of a peace officer who possesses a Basic POST Certificate.

331.4.1 TRAINING OFFICERS
Officers of this department, who demonstrate a desire and ability to train reserve officers, may train the reserves during Phase II, subject to Reserve Coordinator approval.

331.4.2 PRIMARY TRAINING OFFICER
Upon completion of POST basic training, reserve officers will be assigned to a primary training officer. The primary training officer will be selected from Department members who are POST certified FTOs. The reserve officer will be assigned to work with his/her primary training officer during the first 160 hours of training. This time shall be known as the Primary Training Phase.

331.4.3 FIELD TRAINING MANUAL
Each new reserve officer will be issued a Field Training Manual at the beginning of his/her Primary Training Phase. This manual is an outline of the subject matter and/or skills necessary to properly function as an officer with the Pleasant Hill Police Department. The reserve officer shall become knowledgeable of the subject matter as outlined. He/she shall also become proficient with those skills as set forth in the manual.

The Reserve Coordinator is responsible for the content of the Reserve Officer Field Training Manual and submission of approval of the contents of this Manual to the Chief of Police.

331.4.4 COMPLETION OF THE PRIMARY TRAINING PHASE
At the completion of the Primary Training Phase, (Phase I) the primary training officer will meet with the Reserve Coordinator. The purpose of this meeting is to discuss the progress of the reserve officer in training.

If the reserve officer has progressed satisfactorily, he/she will then proceed to Phase II of the training. If he/she has not progressed satisfactorily, the Reserve Coordinator will determine the appropriate action to be taken.

331.4.5 SECONDARY TRAINING PHASE
The Secondary Training Phase (Phase II) shall consist of 160 hours of additional on-duty training for a Level I officer and 100 hours of training for a level II officer. The reserve officer will no longer be required to ride with his/her primary training officer. The reserve officer may now ride with any certified FTO designated by the Reserve Coordinator.

During Phase II of training, as with Phase I, the reserve officer's performance will be closely monitored. In addition, rapid progress should continue towards the completion of the Officer's Field Training Manual. At the completion of Phase II of training, a Level I reserve officer will be assigned...
Reserve Officers

to another FTO for an additional 160 hrs of training, called phase III. Reserve Officers intending to serve in a level II capacity may return to the initial FTO or primary FTO for phase three of training upon successful completion of phase II.

331.4.6 THIRD TRAINING PHASE
Phase III for Level I officers is 160 hours of training with a POST certified FTO other than the previous FTOs.

Phase III of training for Level II officers shall consist of 24 hours of additional on-duty training. For this training phase, the Level II reserve officer will return to his/her original primary training officer. During this phase, the training officer will evaluate the reserve officer for suitability to graduate from the formal training program.

Phase IV of training for Level I officers will be undertaken with the Level I officer's primary or initial FTO and will consist of 120 hours of training. Level I officers will progress to Phase IV only upon successful completion of the Level I phase III program.

At the completion of Phase III training for Level II officers only or Phase IV training for Level I officers, the primary training officer will meet with the Reserve Coordinator. Based upon the reserve officer's evaluations, plus input from the primary training officer, the Reserve Coordinator shall decide if the reserve officer has satisfactorily completed his/her formal training. If the reserve officer has progressed satisfactorily, he/she will then graduate from the formal training process. The Reserve Coordinator will forward the recommendation to the Patrol Division Commander for approval. If his/her progress is not satisfactory, the Reserve Coordinator will decide upon the appropriate action to be taken.

331.4.7 COMPLETION OF THE FORMAL TRAINING PROCESS
When a reserve officer has satisfactorily completed all three phases of formal training, he/she will have had a minimum of 284 hours of on-duty training. He/she will no longer be required to ride with a reserve training officer.

331.5 SUPERVISION OF RESERVE OFFICERS
Reserve officers who have attained the status of Level II shall be under the immediate supervision of a regular sworn officer (Penal Code 832.6(a)(2)). The immediate supervision requirement shall also continue for reserve officers who have attained Level I status unless special authorization is received from the Reserve Coordinator with the approval of the Division Commander.

331.5.1 SPECIAL AUTHORIZATION REQUIREMENTS
Reserve officers certified as Level I may, with prior authorization of the Reserve Coordinator and on approval of the Division Commander, be relieved of the "immediate supervision" requirement. Level I reserve officers may function under the authority of Penal Code § 832.6(a)(1) only for the duration of the assignment or purpose for which the authorization was granted.
In the absence of the Reserve Coordinator and the Division Commander, the Watch Commander may assign a certified Level I reserve officer to function under the authority of Penal Code § 832.6(a)(1) for specific purposes and duration.

The Patrol Division Commander or designee and/or Reserve Coordinator may evaluate each Reserve Officer to determine the most appropriate designated level. This will be accomplished by evaluation of the reserve officer’s training records, POST designation, monthly hours donated, and qualitative assessment of proficiency. The level assigned to a reserve officer may not coincide with the the level the reserve officer has qualified through POST, e.g., a reserve officer may meet POST Level I requirements but the Department has chosen to restrict the supervisor to a level II status. In no case will the Department allow a reserve officer to be treated at a status that exceeds the POST training requirements the officer has attained, i.e., a reserve officer who has met POST level II training requirements will not be treated as a level I officer regardless of a favorable qualitative assessment.

Department changes in status will not be reported to POST but instead are an intra Departmental administrative measure.

Reserve Officers who do not meet the minimum standards for their level assignment, see 350.3, may be assigned to a lower level than their POST standard.

331.5.2 RESERVE OFFICER MEETINGS
All reserve officer meetings will be scheduled and conducted by the Reserve Coordinator. All reserve officers are required to attend scheduled meetings. Any absences must be satisfactorily explained to the Reserve Coordinator.

331.5.3 IDENTIFICATION OF RESERVE OFFICERS
All reserve officers will be issued a uniform badge and a Department identification card. The uniform badge shall be the same as that worn by a regular full-time officer. The identification card will be the standard identification card with the exception that "Reserve" will be indicated on the card.

331.5.4 UNIFORM
Reserve officers shall conform to all uniform regulation and appearance standards of this department.

331.5.5 INVESTIGATIONS AND COMPLAINTS
If a reserve officer has a complaint made against him/her or becomes involved in an internal investigation, that complaint or internal investigation may be investigated by the Reserve Coordinator, at the discretion of the Operations Division Commander.

Reserve officers are considered at-will employees. Government Code § 3300 et seq. applies to reserve officers with the exception that the right to hearing is limited to the opportunity to clear their name.
Reserve Officers

Any disciplinary action that may have to be administered to a reserve officer shall be accomplished as outlined in the Policy Manual.

331.5.6 RESERVE OFFICER EVALUATIONS
While in training reserves will be continuously evaluated using standardized daily and weekly observation reports. The reserve will be considered a trainee until all of the training phases have been completed.

Reserves having completed their field training should be evaluated annually using performance dimensions applicable to the duties and authorities granted to that reserve.

331.6 FIREARMS REQUIREMENTS
Penal Code § 830.6(a)(1) designates a reserve officer as having peace officer powers during his/her assigned tour of duty, provided the reserve officer qualifies or falls within the provisions of Penal Code § 832.6.

331.6.1 CARRYING WEAPON ON DUTY
Penal Code § 830.6(a)(1) permits qualified reserve officers to carry a loaded firearm while on-duty. It is the policy of this department to allow reserves to carry firearms only while on-duty or to and from duty.

331.6.2 CONCEALED FIREARMS PROHIBITED
No reserve officer will be permitted to carry a concealed firearm while in an off-duty capacity, other than to and from work, except those reserve officers who possess a valid CCW permit. An instance may arise where a reserve officer is assigned to a plainclothes detail for his/her assigned tour of duty. Under these circumstances, the reserve officer may be permitted to carry a weapon more suited to the assignment with the knowledge and approval of the supervisor in charge of the detail.

Any reserve officer who is permitted to carry a firearm other than the assigned duty weapon may do so only after verifying that the weapon conforms to departmental standards. The weapon must be registered by the reserve officer and be inspected and certified as fit for service by a departmental armorer.

Before being allowed to carry any optional firearm during an assigned tour of duty, the reserve officer shall have demonstrated his/her proficiency with said weapon.

When a reserve officer has satisfactorily completed all three phases of training (as outlined in Policy Manual § 350.4), he/she may be issued a permit to carry a concealed weapon. The decision to issue a concealed weapon permit will be made by the Chief of Police with input from the Reserve Program Coordinator and administrative staff. In issuing a concealed weapon permit a reserve officer's qualification will be individually judged. A reserve officer's dedication to the program and demonstrated maturity, among other factors, will be considered before a concealed weapon permit will be issued. Once issued, the concealed weapon permit will be valid only for as long as the reserve officer remains in good standing with the Pleasant Hill Police Department Reserve Officer Program.
Reserve Officers

331.6.3 RESERVE OFFICER FIREARM TRAINING
All reserve officers are required to maintain proficiency with firearms used in the course of their assignments. Reserve officers shall comply with all areas of the firearms training section of the Policy Manual, with the following exceptions:

(a) All reserve officers are required to qualify at least three times yearly
(b) Should a reserve officer fail to qualify over a two-month period, that reserve officer will not be allowed to carry a firearm until he/she has reestablished his/her proficiency

331.7 EMERGENCY CALL-OUT FOR RESERVE PERSONNEL
The Reserve Coordinator shall develop a plan outlining an emergency call-out procedure for reserve personnel.
Police Chaplain Program

332.1 PURPOSE AND SCOPE
The purpose of this order is to set forth objectives, requirements for participation, assignment and training of qualified Volunteer Police Chaplains and to prescribe the responsibilities of personnel requesting their services. This order reflects the philosophy and purpose of this department for providing voluntary, non-denominational, spiritual and social guidance to members of the department, their families and the community during times of stress and crisis.

This policy establishes the Pleasant Hill Police Department Police Chaplain Program as the optimal approach to care for department personnel and community members in crisis situations. It is the policy of this department to provide, when requested, professional religious guidance and social ministry to all Pleasant Hill Police Department personnel, sworn and non-sworn, and their families where counseling, comfort or reassuring would be of help. This policy further empowers the Police Chaplain Program to serve as a resource for crisis intervention and to assist officers in the performance of certain specified duties when the services of the Police Chaplain may possibly offer support to members of the community during times of emotional trauma.

332.1.1 OBJECTIVES
The Volunteer Police Chaplaincy Program is designed to:

(a) Provide non-denominational spiritual support to the Pleasant Hill Police Department personnel and victims of crimes/tragedies in Pleasant Hill.

(b) Enhance the Department's 24-hour service to the Pleasant Hill community.

332.2 APPLICATION AND SELECTION PROCESS
The Police Chaplain is appointed by the Chief of Police and serves the department and community at their discretion. The Chief of Police will have the final authority for any decision concerning the administration of the program. Decisions of the Chief of Police may not be appealed.

Chaplains are first and foremost people of faith. If they are to be successful, it is necessary that they be selected with great care. They should be a person with a broad base of experience and professional ministry, emotional stability, and personal flexibility. Individuals interested in serving as Police Chaplain shall complete an employment application form setting forth personal information, their experience, education and willingness to actively participate. The Captain shall review for consideration each application submitted. The Chief of Police shall review qualified applicants for further consideration and background review. Successful applicants will be appointed to the non-sworn position of Volunteer Police Chaplain.

All qualified candidates for the position of Police Chaplain shall meet and maintain the following minimum qualifications:

(a) The applicant must:
Police Chaplain Program

1. Be an ordained or licensed minister who is credentialed by a recognized ecclesiastic body with a minimum of three (3) years experience.
2. Possess a valid unrestricted class "C" California driver's license or be eligible to receive one by the date of appointment.
3. Possess current individual medical and auto insurance coverage.
5. Be at least 21 years of age at the time of appointment.
6. Submit to finger printing and Department of Justice criminal history check.
7. Never have been convicted of a felony or offense involving moral turpitude.
8. Attend training relative to the position as required by the department.
9. Learn and maintain proficiency with department radio codes.
10. Exhibit and maintain exemplary moral character and standards.

(b) Qualified applicants must pass the following:

1. Oral and Personal History Questionnaire interviews.
2. Background investigation developed for the Volunteer Police Chaplaincy Program.
3. Ecclesiastic credential review.

The appointment of qualified persons to the position of Volunteer Police Chaplain is at the discretion of the Chief of Police.

332.3 ASSIGNMENT AND TRAINING

(a) The Chaplain Coordinator is assigned at the discretion of the Chief of Police, and shall administer the Volunteer Police Chaplaincy Program.

(b) The Chaplain Coordinator shall facilitate law enforcement related training for all new Volunteer Police Chaplains before they are placed in work assignments. Ideally, this training will be at least 24 hours long.

(c) The Volunteer Police Chaplains shall be required to participate in continuing education in order to retain their status as chaplains in the program.

(d) Volunteer Police Chaplains shall devote 16 hours annually to ride-along with Pleasant Hill Police Department personnel.

(e) Contact numbers for Volunteer Police Chaplains will be posted in Dispatch so Chaplains can be called out.
332.4 DUTIES OF THE VOLUNTEER CHAPLAIN

The Police Chaplain Program is designed to assist the department and its staff in a variety of functions. Their primary duty is to serve as a source of support and counsel to the members of the Pleasant Hill Police Department upon request. The duties of a Police Chaplain may include, but are not limited to:

332.4.1 REACTIVE CRISIS RESPONSE

(a) Emergency call out for on duty and off duty injuries, sicknesses or deaths of employees or immediate family, active or retired.
(b) Upon request, make hospital calls and home visits for department personnel.
(c) Facilitate critical incident debriefings; provide comfort and assistance to victims, witness and officers in dealing with post-traumatic stress from violent/horrific crime scenes, traffic accidents or major disasters.
(d) Crisis intervention for domestic violence or suicide attempts or threats. To include follow up, mediation and intervention.
(e) Assist department personnel with death notifications to citizens.
(f) Attend or conduct funeral/memorial services when requested.
(g) Be available for employee or marriage/family counseling, job related stress reduction or personal crisis.
(h) Comfort families of lost children.
(i) Be on call as needed pursuant to this policy.

332.4.2 PROACTIVE CRISIS RESPONSE

(a) Advisors to the Chief of Police in such matters as moral, spiritual, and religious welfare of police personnel.
(b) Attend team briefings.
(c) Schedule patrol ride-along and be acquainted with other divisions of the department.
(d) Visitations, homes and hospitals, employees and families.
(e) Provide confidential/informal counseling and assistance to employees.
(f) Enhance public relations through community involvement as department representative at various functions, when authorized.
(g) Be available to department personnel for pre-marital counseling and wedding planning within the guidelines of their respective faith or doctrine.
(h) Attend official functions, award ceremonies, academy visits, promotion and swearing in ceremonies, and departmental oral boards.
Police Chaplain Program

(i) Establishing and training volunteers for service.
(j) Establishing a network of available resources/referrals to assist employees and families with stress management, crisis intervention, etc.
(k) Maintain an interactive correspondence and liaison with the International Conference for Police Chaplains (ICPC), other regional/state law enforcement Chaplaincy programs, and religious leaders in the community.

332.5 REGULATIONS AND PROCEDURES
The Police Chaplain is authorized to visit the offices of the Pleasant Hill Police Department and have access to all buildings and scenes where the presence of law enforcement officers indicates the need for their services. For this purpose, the Police Chaplain may converse with any member of the department whenever the need for such services arises. During the course of their duties, Police Chaplains may become aware of information that may be sensitive or considered confidential by the department. Police Chaplains will not divulge intelligence information, the details of criminal investigations, and the names of victims, witnesses, or suspects to other than police personnel entitled to the information. A Police Chaplain may divulge such information when ordered to do so by order of the court.

(a) Non-sworn Volunteer Police Chaplains are not law enforcement officers but are experienced representatives of their denomination, duly ordained or licensed and approved. The Police Chaplains are not intended to replace an individual's clergyman.
(b) The Volunteer Police Chaplains' responsibility is to assist all officers, upon request, in matters within the Chaplain's realm. The non-sworn Chaplain shall not, in any way, interfere with an officer in the performance of his/her duties, and are subject to the authority of the requesting officer.
(c) All Chaplains, when on duty, shall properly identify him/herself by carrying visible on their person the identification card issued by the department and wear the appropriate Chaplaincy attire or uniform. They shall be courteous and conduct him/herself in a manner that is becoming their role and ministry and in accordance with the Pleasant Hill Police Department General Orders and the City of Pleasant Hill Personnel Rules and Regulations.
(d) The non-sworn Chaplain shall have a basic knowledge of the duties of law enforcement officers, be aware of new procedures and be willing to attend training sessions and programs conducted by the Police Department.
(e) It should be understood that members and employees of the Pleasant Hill Police Department who request counseling sessions with the Volunteer Chaplain are entitled to a privileged communication (Evidence Code § 1034) which will not be reported to a supervisor or have any bearing on job status. All contacts with Department personnel shall remain confidential and employees/members shall not be identified on Chaplain
Police Chaplain Program

Activity Reports. Referral sheets requesting chaplain assistance shall be controlled and maintained by the Chaplain Coordinator.

(f) Department employees, volunteers, and their families may seek counsel from any Police Chaplain without notifying the department. No party to the communication will be required to divulge to the department their reasons for or the content of their communications.

332.5.1 CONFIDENTIALITY
Confidentiality will be strictly maintained except in the following circumstance:

(a) A Volunteer Chaplain who, as a consequence of obtaining any information from a member or employee, believes that the member/employee is an immediate danger to him/herself or others, shall first notify the Chaplain Coordinator, who shall in turn notify the employee’s immediate supervisor. If the Chaplain Coordinator cannot be reached within 15 minutes of the initial call, the Volunteer Chaplain shall notify the on duty Patrol Watch Commander directly.

(b) A Chaplain Activity Report must be completed after each Chaplain involved incident. The entry shall include the date, time of occurrence, time the incident is completed and type of activity. Chaplain Activity Reports shall be kept in the Chaplain Coordinator's office. A Chaplain Activity Report shall be completed by the on call Chaplain at the end of his/her tour of duty.

332.6 ORGANIZATIONAL STRUCTURE
The administration of the Pleasant Hill Police Department Police Chaplain Program will be the responsibility of the Support Services Division Commander. The role of Police Chaplain Coordinator shall be the collateral responsibility of a Department employee. The Chaplain Coordinator shall be responsible for the administrative duties (programs, planning, and correspondence) of the Police Chaplain Program; they shall supervise; and oversee the proactive and reactive outreaches of the Police Chaplains. The Chaplaincy Program operates under the guidelines set forth by the Constitution and by-laws of the International Conference of Police Chaplains (ICPC). All policy, personnel and fiscal matters, are subject to revision and approval by the Chief of Police.

(a) The designated Chaplain Coordinator shall be responsible for the training, supervision and assignment of the Volunteer Police Chaplains.

(b) Under the direction of the Chief of Police, the Chaplain Coordinator shall:
   1. Perform all administrative tasks related to the program.
   2. Conduct training for chaplains as needed.
   3. Maintain Chaplains' personnel files.
4. Monitor and counsel chaplains regarding their volunteer service.
5. Maintain training records.
6. Prepare a written report to the Chief of Police if substandard work is noted in work assignments.

332.7 REASONS FOR DISMISSAL/PROCEDURE
Violations of Chaplain conduct includes, but are not limited to:

(a) Violation of Department Rules and Regulations as specified in department manuals.
(b) Repeated failure to respond when called.
(c) Excessive tardiness.
(d) Breach of confidentiality.
(e) Failure to perform duties.

If one or more of the above actions occur, the Chaplain may be removed by order of the Chief of Police.

332.8 UNIFORM REQUIREMENTS

(a) When in an off-duty status representing the department, Chaplains shall follow the guidelines for civilian clothing, in accordance with the provisions of Department policy.

(b) When in an on-duty status, Chaplains shall follow the guidelines for Chaplain appearance and uniform for regular assignments and in accordance with the provisions of Departmental Policy regarding Uniform Specifications for Non-Sworn Personnel.

(c) The Department may supply appropriate clothing that is deemed necessary to identify the individual as a Police Chaplain.

(d) Each non-sworn Chaplain will be issued an official City of Pleasant Hill, Volunteer Police Chaplain picture identification card. Upon resignation or dismissal from the program, the identification card must be surrendered to the Chief of Police or his representative.

332.9 CHAPLAIN CALL OUT PROCEDURE
Generally, the Police Chaplains can be called upon at any time. Call-outs will only be made with the approval of the on-duty Watch Commander and only after they have fully assessed the facts necessitating the call-out. The Watch Commander or any other employee at the direction of the Watch Commander prepared to discuss the case in detail may make the call-out.

Watch Commander approval is not required for matters of a personal or confidential nature.
An up to date on-call list for Police Chaplains will be established and maintained by the Police Chaplain Coordinator and provided to Dispatch.

Chaplains will make contact with the Watch Commander at the call-out scene, or in their absence the officer requesting the call-out, so they may be briefed about the situation and directed to the appropriate involved parties.

In any situation requiring the response of a Police Chaplain the personal safety of the Chaplain will be paramount. Scene safety assessment will be the responsibility of the Watch Commander for the duration of the Chaplain's presence on scene.
Mutual Aid and Outside Agency Assistance

333.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidance to members when requesting or responding to a request for mutual aid or when assisting another law enforcement agency.

333.2 POLICY
It is the policy of the Pleasant Hill Police Department to promptly respond to requests for assistance by other law enforcement agencies, subject to available resources and consistent with the applicable laws and policies of this department.

333.3 REPORTING REQUIREMENTS
Incidents of outside assistance or law enforcement activities that are not documented in a crime report shall be documented in a general case report or as directed by the Watch Commander.

333.4 REQUESTING OUTSIDE ASSISTANCE
If assistance is needed from another agency, the member requesting assistance should, if practicable, first notify a supervisor. The handling member or supervisor should direct assisting personnel to where they are needed and to whom they should report when they arrive.

The requesting member should arrange for appropriate radio communication capabilities, if necessary and available, so that communication can be coordinated between assisting personnel.

333.5 ASSISTING OUTSIDE AGENCIES
Generally, requests for any type of assistance from another agency should be routed to the Watch Commander’s office for approval. In some instances, a memorandum of understanding or other established protocol may exist that eliminates the need for approval of individual requests.

When another law enforcement agency requests assistance from this department, the Watch Commander may authorize, if available, an appropriate number of personnel to assist. Members are reminded that their actions when rendering assistance must conform with applicable laws and be consistent with the policies of this department.

Officers may respond to a request for emergency assistance, however, they shall notify a supervisor of their activity as soon as practicable.

Arrestees may be temporarily detained by this department until arrangements for transportation are made by the outside agency. Probation violators who are temporarily detained by this department will not ordinarily be booked at this department. Only in exceptional circumstances, and subject to supervisor approval, will this department provide transportation of arrestees to other facilities on behalf of another agency.

When transportation assistance is rendered, a report shall be prepared and submitted by the handling member unless otherwise directed by a supervisor.
333.5.1 INITIATED ACTIVITY
Any on-duty officer who engages in law enforcement activities of any type that are not part of a mutual aid request and take place outside the jurisdiction of the Pleasant Hill Police Department shall notify his/her supervisor or the Watch Commander and Dispatch as soon as practicable. This requirement does not apply to special enforcement details or multi-agency units that regularly work in multiple jurisdictions.
Taxi Operator Permits

334.1 PURPOSE AND SCOPE
This policy describes the responsibilities of the Investigations Division regarding applications from individuals for a permit to operate a taxi per the provisions of the Pleasant Hill Municipal Code.

334.2 POLICY
It is the policy of the City of Pleasant Hill that anyone who operates a taxicab within the City limits will comply with the provisions of the Municipal Code regarding permitting by the Office of the Chief of Police.

334.3 PROCEDURES
When individuals present themselves to the Police Department for a permit to operate a taxicab within the City limits, the employee who handles the request shall:

(a) Collect the required fee as currently stipulated by City ordinance.
(b) Fingerprint and conduct a criminal history record check.
(c) Conduct a background check as appropriate and necessary.
(d) Obtain a DMV printout of the applicant's driving history.
(e) Check the applicant for any outstanding arrest warrants.
(f) Ensure that the applicant is at least 18 years of age.
(g) If no derogatory information results from the inquiries made above, the permit is forwarded to the Office of the Chief of Police for approval. If approved, the Chief of Police or designee will issue the permit.
(h) If the permit is denied for any reason during this process, the Investigations Division Commander or designee will notify the applicant of the denial and the reason therefore.
(i) Taxi permits are valid for one year and must be renewed on the anniversary date of their issue.
Megan's Law

335.1 PURPOSE AND SCOPE
This policy establishes guidelines by which the Pleasant Hill Police Department will address issues associated with certain offenders who are residing in the jurisdiction and how the Department will disseminate information and respond to public inquiries for information about registered sex, arson and drug offenders.

335.2 POLICY
It is the policy of the Pleasant Hill Police Department to identify and monitor registered offenders living within this jurisdiction and to take reasonable steps to address the risks those persons may pose.

335.3 REGISTRATION
The Investigations Supervisor shall establish a process to reasonably accommodate registration of certain offenders. The process should rebut any allegation on the part of the offender that the registration process was too confusing, burdensome or difficult for compliance. If it is reasonable to do so, an investigator assigned to related investigations should conduct the registration in order to best evaluate any threat the person may pose to the community. Employees assigned to register offenders should receive appropriate training regarding the registration process.

Upon conclusion of the registration process, the investigator shall ensure that the registration information is provided to the California Department of Justice (DOJ) in accordance with applicable law (Health and Safety Code § 11594; Penal Code § 457.1; Penal Code § 290 et seq.).

The refusal of a registrant to provide any of the required information or complete the process should initiate a criminal investigation for failure to register.

335.3.1 CONTENTS OF REGISTRATION
The information collected from the registering offenders shall include a signed statement as required by the California DOJ, fingerprints and a photograph and any other information required by applicable law (Health and Safety Code § 11594; Penal Code § 457.1; Penal Code § 290 et seq.).

335.4 DISSEMINATION OF PUBLIC INFORMATION
Employees will not unilaterally make a public notification advising the community of a particular registrant's presence in the community. Employees who identify a significant risk or other public safety issue associated with a registrant should promptly advise their supervisor. The supervisor should evaluate the request and forward the information to the Chief of Police if warranted. A determination will be made by the Chief of Police, with the assistance of legal counsel as necessary, whether such a public alert should be made.

Members of the public requesting information on sex registrants should be provided the Megan's Law website or the Pleasant Hill Police Department’s website.
Megan’s Law

The Support Services Supervisor may release local registered offender information to residents only in accordance with applicable law (Penal Code § 290.45; Penal Code § 290.46; Penal Code § 457.1; Health and Safety Code § 11594), and in compliance with a California Public Records Act (Government Code § 6250-6276.48) request.

335.4.1 LIMITED RELEASE WITHIN COLLEGE CAMPUS COMMUNITY
California law allows the following additional information regarding a registered sex offender on campus, whose information is not available to the public via the Internet website, to be released to a campus community (Penal Code § 290.01(d)):

(a) The offender’s full name
(b) The offender’s known aliases
(c) The offender’s sex
(d) The offender’s race
(e) The offender’s physical description
(f) The offender’s photograph
(g) The offender’s date of birth
(h) Crimes resulting in the registration of the offender under Penal Code § 290
(i) The date of last registration

For purposes of this section, campus community shall be defined as those persons present at or regularly frequenting any place constituting campus property, satellite facilities, laboratories, public areas contiguous to the campus and other areas set forth in Penal Code § 290.01(d).

335.4.2 RELEASE NOTIFICATIONS
Registrant information that is released should include notification that:

(a) The offender registry includes only those persons who have been required by law to register and who are in compliance with the offender registration laws.
(b) The information is provided as a public service and may not be current or accurate.
(c) Persons should not rely solely on the offender registry as a safeguard against offenses in their communities.
(d) The crime for which a person is convicted may not accurately reflect the level of risk.
(e) Anyone who uses information contained in the registry to harass registrants or commit any crime may be subject to criminal prosecution.
(f) The purpose of the release of information is to allow members of the public to protect themselves and their children from sex offenders (Penal Code 290.45).
Major Incident Notification

336.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidance to members of this department in determining when, how and to whom notification of major incidents should be made.

336.2 POLICY
The Pleasant Hill Police Department recognizes that certain incidents should be brought to the attention of supervisors or other specified personnel of this department to facilitate the coordination of activities and ensure that inquiries from the media and the public may be properly addressed.

336.3 MINIMUM CRITERIA FOR NOTIFICATION
Most situations where the media show a strong interest are also of interest to the Chief of Police and the affected Division Commander. The following list of incident types is provided as a guide for notification and is not intended to be all inclusive:

- Homicides
- Traffic accidents with fatalities
- Officer-involved shooting - on or off duty (see Officer-Involved Shootings and Deaths Policy for special notifications)
- Significant injury or death to employee - on or off duty
- Death of a prominent Pleasant Hill Police official
- Arrest of a department employee or prominent Pleasant Hill Police official
- Aircraft crash with major damage and/or injury or death
- In-custody deaths

336.4 WATCH COMMANDER RESPONSIBILITY
The Watch Commander is responsible for making the appropriate notifications for incidents described in 358.2. The Watch Commander shall make reasonable attempts to obtain as much information on the incident as possible before notification. The Watch Commander then will attempt to make the notifications as soon as practical. Notification will be made to the On Call Commander after hours or to the affected Division Commander.

Watch Commanders are also responsible for making notification to the Patrol Division Commander via the Supervisor's Daily Report of the following:

- All uses of force
- Vehicle pursuits
- Child abuse cases
**Major Incident Notification**

- Sexual assaults
- Elder abuse cases
- Citizen complaints (formal and informal)
- 148 PC arrests

Verbal notification by the Watch Commander on the preceding cases to the On Call Commander may accompany the *Supervisor’s Daily Report* (to be forwarded to the Patrol Division Commander) if appropriate.

336.4.1 STAFF NOTIFICATION
In the event an incident occurs described in *Policy Manual* § 358.2, the Chief of Police shall be notified by the affected Division Commander or On Call Commander.

336.4.2 DETECTIVE NOTIFICATION
If the incident requires that a detective respond from home, the Watch Commander or designee will make the request for the call out. Investigators will respond when requested.
Death Investigation

337.1 PURPOSE AND SCOPE
The investigations of cases involving death include those ranging from natural cause to homicide. Some causes of death may not be readily apparent and some cases differ substantially from what they appeared to be initially. The thoroughness of death investigations cannot be emphasized enough.

337.2 INVESTIGATION CONSIDERATIONS
Death investigation cases require certain actions be taken. Paramedics shall be called in all suspected death cases unless the death is obvious (decapitated, decomposed, etc.). A supervisor will respond to the scene of all death investigations.

337.2.1 CORONER REQUEST
Government Code § 27491 and Health & Safety Code § 102850 direct the Coroner to inquire into and determine the circumstances, manner and cause of certain deaths. The Coroner shall be called in any of the following cases:

(a) Unattended deaths (No physician in attendance or during the continued absence of the attending physician. Also, includes all deaths outside hospitals and nursing care facilities).

(b) Deaths where the deceased has not been attended by either a physician or a registered nurse, who is a member of a hospice care interdisciplinary team, as defined by Health and Safety Code § 1746 in the 20 days prior to death.

(c) Physician unable to state the cause of death. Unwillingness does not apply. Includes all sudden, unexpected and unusual deaths and fetal deaths when the underlying cause is unknown.

(d) Known or suspected homicide.

(e) Known or suspected suicide.

(f) Involving any criminal action or suspicion of a criminal act. Includes child and dependent adult negligence and abuse.

(g) Related to or following known or suspected self-induced or criminal abortion.

(h) Associated with a known or alleged rape or crime against nature.

(i) Following an accident or injury (primary or contributory). Deaths known or suspected as resulting (in whole or in part) from or related to accident or injury, either old or recent.

(j) Drowning, fire, hanging, gunshot, stabbing, cutting, starvation, exposure, alcoholism, drug addiction, strangulation or aspiration.

(k) Accidental poisoning (food, chemical, drug, therapeutic agents).
(l) Occupational diseases or occupational hazards.
(m) Known or suspected contagious disease and constituting a public hazard.
(n) All deaths in operating rooms and all deaths where a patient has not fully recovered from an anesthetic, whether in surgery, recovery room or elsewhere.
(o) In prison or while under sentence. Includes all in-custody and police involved deaths.
(p) All deaths of unidentified persons.
(q) All deaths of state hospital patients.
(r) Suspected Sudden Infant Death Syndrome (SIDS) deaths.
(s) All deaths where the patient is comatose throughout the period of the physician’s attendance. Includes patients admitted to hospitals unresponsive and expire without regaining consciousness.

The body shall not be disturbed or moved from the position or place of death without permission of the coroner.

337.2.2 SEARCHING DEAD BODIES
The Coroner or Deputy Coroner is generally the only person permitted to search a body known to be dead from any of the circumstances set forth in Government Code § 27491. The only exception is that an officer is permitted to search the body of a person killed in a traffic collision for the limited purpose of locating an anatomical donor card (Government Code § 27491.3). If such a donor card is located, the Coroner or a designee shall be promptly notified. Should exigent circumstances indicate to an officer that any search of a known dead body is warranted prior to the arrival of the Coroner or a designee; the investigating officer shall first obtain verbal consent from the Coroner or a designee (Government Code § 27491.2).

Whenever possible, a witness, preferably a relative to the deceased or a member of the household, should be requested to remain at the scene with the officer pending the arrival of the Coroner or a designee. The name and address of this person shall be included in the narrative of the death report. Whenever personal effects are removed from the body of the deceased by the Coroner or a designee, a receipt shall be obtained. This receipt shall be attached to the death report.

337.2.3 DEATH NOTIFICATION
When practical, and if not handled by the Coroner's Office, notification to the next-of-kin of the deceased person shall be made, in person, by the officer assigned to the incident. Pleasant Hill PD personnel will coordinate death notifications with the Coroner's Office.

337.2.4 DEATH INVESTIGATION REPORTING
All incidents involving a death shall be documented via a report.

Deaths occurring in a health care facility and/or in which a physician is willing to sign a death certificate and in which the Coroner will not initiate an investigation may be documented in a
synopsis report, provided the Watch Commander approves and the Watch Commander has already examined the death scene.

337.2.5 SUSPECTED HOMICIDE
If the initially assigned officer suspects that the death involves a homicide or other suspicious circumstances, the Investigations Division shall be notified to determine the possible need for a detective to respond to the scene for further immediate investigation.

337.2.6 EMPLOYMENT RELATED DEATHS OR INJURIES
Any member of this agency who responds to and determines that a death, serious illness, or serious injury has occurred as a result of an accident at or in connection with the victim's employment shall ensure that the nearest office of Cal-OSHA is notified by telephone immediately or as soon as practicable with all pertinent information (8 CCR 342(b)).
Identity Theft/Financial Crimes

338.1 PURPOSE AND SCOPE
Identity theft is a growing trend that frequently involves related crimes in multiple jurisdictions. This policy is intended to provide guidelines for the reporting and investigation of such crimes.

338.2 REPORTING
(a) In an effort to maintain uniformity in reporting, officers presented with the crime of identity theft (Penal Code § 530.6) shall initiate a report for victims residing within the jurisdiction of this department when the crime occurred. For incidents of identity theft occurring outside this jurisdiction, officers should observe the following:
1. For any victim not residing within this jurisdiction, the officer may either take a courtesy report to be forwarded to the victim’s residence agency or the victim should be encouraged to promptly report the identity theft to the law enforcement agency where he or she resides.

(b) While the crime of identity theft should be reported to the law enforcement agency where the victim resides, officers of this department should investigate and report crimes occurring within this jurisdiction which have resulted from the original identity theft (e.g., the identity theft occurred elsewhere, but the credit card fraud occurred and is reported in this jurisdiction).

(c) Officers should include all known incidents of fraudulent activity (e.g., credit card number applied for in victim’s name when the victim has never made such an application).

(d) Officers should also cross-reference all known reports made by the victim (e.g., U.S. Secret Service, credit reporting bureaus, U.S. Postal Service and DMV) with all known report numbers.

(e) The reporting officer should inform victims of identity theft that the California Identity Theft Registry is available to help those who are wrongly linked to crimes. The registry can be checked by law enforcement and other authorized persons to investigate whether a criminal history or want was created in the victim’s name (Penal Code § 530.7). Information regarding the California Identity Theft Registry can be obtained by calling toll free (888) 880-0240.

(f) Following supervisory review and departmental processing, the initial report should be forwarded to the appropriate detective for follow up investigation, coordination with other agencies and prosecution as circumstances dictate.

338.2.1 REPORT CLASSIFICATION
The Pleasant Hill Police Department report classification for identity theft (530.5 PC) reports for victims residing in Pleasant Hill or whose place of business is in Pleasant Hill is PCOO.
Identity Theft/Financial Crimes

The Pleasant Hill Police Department report classification for identity thefts occurring outside of this jurisdiction is MSOA.

338.3 FINANCIAL CRIMES POLICY
The Pleasant Hill Police Department will investigate all financial crimes which meet the below criteria. Initial investigations will be handled in most cases by Patrol Division officers. When the investigation has progressed beyond the scope of a Patrol Division officer's ability or responsibility the case may be forwarded to the Investigations Division. Patrol Division personnel will attempt to exhaust investigative leads prior to forwarding to the Investigations Division.

Incidents which do not meet the below criteria will not be investigated.

338.3.1 FORGERIES

(a) Patrol Division personnel will respond to all "in progress" forgery cases. In progress is defined as the suspect is on scene when the incident is reported to the Department. If the suspect leaves prior to the arrival of the officer, an officer will still initiate an investigation. Patrol Division personnel will also initiate an investigation on "cold" check forgery cases if the following criteria is met:

1. The transaction must have occurred in the City of Pleasant Hill. (Identity theft provisions per § 530.5 Penal Code should also be considered and a case initiated for that violation if applicable).
2. The original check or computer generated copy must be submitted to the Police Department and the violation must have occurred in the past 120 days.
3. The account holder's bank must be a bank located in California.
4. It must be known which store employee accepted the check except if the victim is the account holder of the forged check, this requirement will not apply.
5. An investigation can only be initiated by a person, business, or business representative who suffered a loss. For purposes of this policy, account holders are assumed to have suffered a loss regardless of whether or not their accounts have been credited.

(b) Patrol Division personnel will initiate an investigation on cold credit card forgery cases if the following criteria is met:

1. The transaction must have occurred in the City of Pleasant Hill. (Identity theft provisions per § 530.5 Penal Code should also be considered and a case initiated for that violation if applicable).
2. The transaction must have occurred in the past 120 days.
3. The original transaction slip or computer generated receipt must be submitted to the Police Department. If the reporting party is the cardholder, this requirement will not apply. If the technology used by the accepting merchant does not...
produce a slip or receipt, e.g., electronic signature keypad, this requirement also will not apply.

4. It must be known which store employee accepted the transaction except if the victim is the card holder, this requirement will not apply.

5. An investigation can only be initiated by a the person, business, or business representative who suffered a loss. For purposes of this policy, account holders are assumed to have suffered a loss regardless of whether or not their accounts have been credited.

6. This policy is inclusive of debit cards as well as credit cards.

338.3.2 BAD CHECKS
Persons reporting the receipt of non sufficient fund and account closed check cases will be referred to the Contra Costa County District Attorney’s "Bad Check Restitution Program". Responding officers will examine the situation to ensure the bad check is not a forged check or a check containing fraudulent information. Forged checks will be investigated per the criteria listed above.

(a) For information, following is the criteria for acceptance of cases by the Bad Check Restitution Program:

1. The check must show the payee, date, amount, signature, and the check must contain the information of the account holder.

2. The acceptee of the check must have recorded basic identifying information on the check passer including: driver’s license or ID card number, date of birth, and the initials of the person who accepted the check.

3. The check cannot be pre or post dated.

4. The check must have been written in Contra Costa County or delivered to a Contra Costa County address and be drawn on a bank doing business in California.

5. The following types of checks will not be accepted by the Bad Check program:

   (a) Two party checks

   (b) Rent or stop payment checks (until any civil dispute is resolved)

   (c) Suspected stolen or forged checks.

(b) The Bad Check Restitution Program may refer checks or cases to the Pleasant Hill Police Department. These cases will be referred directly to the Investigations Division. The Investigations Division will only investigate cases which meet the case filing requirements of the District Attorney’s office.
Identity Theft/Financial Crimes

(c) The Investigations Division will only investigate non sufficient fund checks referred to them by the Bad Check program if the check is for an amount over $500 and the check was written within the last year from the date the case is received for action.
Private Persons Arrests

339.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidance for the handling of private person’s arrests made pursuant to Penal Code § 837.

339.2 ADVISING PRIVATE PERSONS OF THE ARREST PROCESS
Penal Code § 836(b) expressly mandates that all officers shall advise victims of domestic violence of the right to make a private person’s arrest, including advice on how to safely execute such an arrest. In all other situations, officers should use sound discretion in determining whether or not to advise an individual of the arrest process.

(a) When advising any individual regarding the right to make a private person’s arrest, officers should refrain from encouraging or dissuading any individual from making such an arrest and should instead limit advice to the legal requirements for such an arrest as listed below.

(b) Private individuals should be discouraged from using force to effect a private person’s arrest, and absent immediate threat to their own safety or the safety of others, private individuals should be encouraged to refer matters to law enforcement officials for further investigation or arrest.

339.3 ARRESTS BY PRIVATE PERSONS
Penal Code § 837 provides that a private person may arrest another:

(a) For a public offense committed or attempted in his or her presence;

(b) When the person arrested has committed a felony, although not in his or her presence;

(c) When a felony has been in fact committed, and he or she has reasonable cause for believing the person arrested has committed it.

Unlike peace officers, private persons may not make an arrest on suspicion that a felony has been committed - the felony must in fact have taken place.

339.4 OFFICER RESPONSIBILITIES
Any officer presented with a private person wishing to make an arrest must determine whether or not there is reasonable cause to believe that such an arrest would be lawful (Penal Code § 847).

(a) Should any officer determine that there is no reasonable cause to believe that a private person’s arrest is lawful, the officer should take no action to further detain or restrain the individual beyond that which reasonably appears necessary to investigate the matter, determine the lawfulness of the arrest and protect the public safety.
Private Persons Arrests

1. Any officer who determines that a private person's arrest appears to be unlawful should promptly release the arrested individual pursuant to Penal Code § 849(b) (1). The officer must include the basis of such a determination in a related report.

2. Absent reasonable cause to support a private person's arrest or other lawful grounds to support an independent arrest by the officer, the officer should advise the parties that no arrest will be made and that the circumstances will be documented in a related report.

   (b) Whenever an officer determines that there is reasonable cause to believe that a private person’s arrest is lawful, the officer may exercise any of the following options:

   1. Take the individual into physical custody for booking
   2. Release the individual pursuant to a Notice to Appear
   3. Release the individual pursuant to Penal Code § 849

339.5 REPORTING REQUIREMENTS
In all circumstances in which a private person is claiming to have made an arrest, the individual must complete and sign the Department's Arrest face sheet or countersign a citation under penalty of perjury. Officers will note and explain a refusal by the arresting individual to sign the arrest sheet or countersign the citation in the narrative of the report.

In addition to the Arrest face sheet (and any other related documents such as citations, booking forms, etc.), officers shall complete a narrative report regarding the circumstances and disposition of the incident.
Anti-Reproductive Rights Crimes Reporting

340.1 PURPOSE AND SCOPE
This policy shall establish a procedure for the mandated reporting of Anti-Reproductive Rights Crimes (ARRC) to the Attorney General pursuant to the Reproductive Rights Law Enforcement Act (Penal Code § 13775 et seq.).

340.2 DEFINITIONS
Penal Code § 423.2 provides that the following acts shall be considered Anti-Reproductive Rights Crimes (ARRC) when committed by any person, except a parent or guardian acting towards his or her minor child or ward:

(a) By force, threat of force, or physical obstruction that is a crime of violence, intentionally injures, intimidates, interferes with, or attempts to injure, intimidate, or interfere with any person or entity because that person or entity is a reproductive health services client, provider, or assistant, or in order to intimidate any person or entity, or any class of persons or entities, from becoming or remaining a reproductive health services client, provider, or assistant

(b) By non-violent physical obstruction, intentionally injures, intimidates, or interferes with, or attempts to injure, intimidate, or interfere with, any person or entity because that person or entity is a reproductive health services client, provider, or assistant, or in order to intimidate any person or entity, or any class of persons or entities, from becoming or remaining a reproductive health services client, provider or assistant

(c) Intentionally damages or destroys the property of a person, entity, or facility, or attempts to do so, because the person, entity, or facility is a reproductive health services client, provider, assistant, or facility

340.3 REPORTING REQUIREMENTS TO THE ATTORNEY GENERAL

(a) Upon the receipt of the report of an ARRC, it shall be the responsibility of the employee taking such a report to also complete an ARRC Data Collection Worksheet (BCIA 8371) in accordance with the instructions contained on such forms.

(b) The ARRC Data Collection Worksheet shall be processed with all related reports and forwarded to the Investigations Division Commander.

(c) By the tenth day of each month, it shall be the responsibility of the Support Services Division Commander to ensure that a Summary Worksheet (BCIA 8370) is submitted to the Department of Justice Criminal Justice Statistics Center.

1. In the event that no ARRC(s) were reported during the previous month, a Summary Worksheet shall be submitted to Department of Justice with an indication that no such crimes were reported.
2. Any ARRC(s) reported in the Summary Worksheet shall be accompanied by a copy of the related Data Collection Worksheet(s).
Limited English Proficiency Services

341.1 PURPOSE AND SCOPE
Language barriers can sometimes inhibit or even prohibit individuals with limited English proficiency (LEP) from gaining meaningful access to, or an understanding of important rights, obligations and services. It is therefore the policy of this department to take all reasonable steps to ensure timely and equal access to all individuals, regardless of national origin or primary language (Title VI of the Civil Rights Act of 1964, § 601, 42 USC 2000d).

341.1.1 DEFINITIONS
Definitions related to this policy include:

**Authorized interpreter** - Any employee who is bilingual and has successfully completed department-prescribed interpreter training and is authorized to act as an interpreter or translator.

**Bilingual** - The ability to communicate in two languages fluently, including the ability to communicate technical and law enforcement terminology. Bilingual includes a variety of skill levels. For example, some bilingual individuals may be fluent enough to engage in direct communications in a non-English language but insufficiently fluent to interpret or translate from one language into another. For example, a bilingual individual, depending on his/her skill level, could be utilized to communicate fluently in a non-English language but not to interpret between two languages if he/she does not possess the specialized skills necessary to interpret between two languages effectively. In order to be utilized to interpret or translate from one language into another, an individual must possess the skill, training and demonstrated competence to do so. For purposes of this policy, employees, in order to be identified as bilingual, must initially and periodically demonstrate, through a procedure to be established by the Department, their level of skill and competence such that the Department is able to determine the purposes for which an employee's language skills may be used.

**Interpretation** - The act of listening to a communication in one language (source language) and orally converting it to another language (target language) while retaining the same meaning.

**Limited English Proficient (LEP)** - Designates individuals whose primary language is not English and who have a limited ability to read, write, speak or understand English. LEP individuals may be competent in certain types of communication (e.g., speaking or understanding), but still be LEP for other purposes (e.g., reading or writing). Similarly, LEP designations are context-specific: An individual may possess sufficient English language skills to function in one setting but these skills may be insufficient in other situations.

**Translation** - The replacement of written text from one language (source language) into an equivalent written text (target language).

341.2 FOUR FACTOR ANALYSIS
Since there are potentially hundreds of languages department personnel could encounter, the Department will utilize the four-factor analysis outlined in the Department of Justice LEP Guidance...
Limited English Proficiency Services

To Federal Financial Assistance Recipients available at the DOJ website in determining which measures will provide reasonable and meaningful access to various rights, obligations, services and programs to everyone. It is recognized that law enforcement contacts and circumstances will vary considerably. This analysis therefore, must remain flexible and requires an ongoing balance of the following four factors:

(a) The number or proportion of LEP individuals eligible to be served or likely to be encountered by department personnel or who may benefit from programs or services within the Department's jurisdiction or a particular geographic area.

(b) The frequency with which LEP individuals are likely to come in contact with department personnel, programs or services.

(c) The nature and importance of the contact, program, information or service provided.

(d) The cost of providing LEP assistance and the resources available.

As indicated above, the intent of this analysis is to provide a balance that reasonably ensures meaningful access by LEP individuals to critical services while not imposing undue burdens on the Department its personnel.

While this department will not discriminate against or deny any individual access to services, rights or programs based upon national origin or any other protected interest or right, the above analysis will be utilized to determine the availability and level of assistance provided to any LEP individual or group.

341.2.1 Identification of LEP Individual's Language

The Department will utilize all reasonably available tools, such as language identification cards, when attempting to determine an LEP individual's primary language in an effort to avoid misidentifying that language.

341.3 Types of LEP Assistance Available

Depending on the balance of the above four factors, this department will make every reasonable effort to provide meaningful and timely assistance to LEP individuals through a variety of services, where available. LEP individuals may elect to accept interpreter services offered by the Department at no cost or choose to provide their own interpreter services at their own expense. Department personnel should document in any related report whether the LEP individual elected to use interpreter services provided by the Department or some other source. Department-provided interpreter services may include, but are not limited to, the assistance methods described in this section.

341.3.1 Bilingual Personnel

Personnel utilized for LEP services need not be certified as interpreters, but must have demonstrated, through established department procedures, a level of competence to ascertain whether his/her language skills are best suited to monolingual communications, interpretation, translation, or all or none of these functions.
Limited English Proficiency Services

All personnel used for communication with LEP individuals must demonstrate knowledge of the functions of an interpreter and the ethical issues involved when acting as a language conduit. In addition, employees who serve as interpreters and/or translators must have demonstrated competence in both English and the non-English language. When bilingual personnel from this department are not available, personnel from other city departments who have the requisite training may be requested.

341.3.2 WRITTEN FORMS AND GUIDELINES
This department will determine the most frequently used and critical forms and guidelines and translate these documents into the languages most likely to be requested. The Department will arrange to make these translated forms available to department personnel and other appropriate individuals.

341.3.3 AUDIO RECORDINGS
The Department may develop audio recordings of information that is either important to or frequently requested by LEP individuals for broadcast in a language most likely to be understood by involved LEP individuals.

341.3.4 TELEPHONE INTERPRETER SERVICES
The Watch Commander and the Support Services Supervisor will maintain a list of qualified interpreter services. These services shall be available, with the approval of a supervisor, to assist department personnel in communicating with LEP individuals via official cellular telephones.

341.3.5 COMMUNITY VOLUNTEERS AND OTHER SOURCES OF INTERPRETATION
Where competent bilingual departmental personnel or other City-certified staff are unavailable to assist, responsible members of the community who have demonstrated competence in either monolingual (direct) communication and/or in interpretation and translation (as noted in above) may be called upon to assist in communication efforts. Sources for these individuals may include neighboring police departments, university languages and linguistics departments, local businesses, banks, churches, neighborhood leaders and school officials. Department personnel should ensure that community members are able to provide unbiased assistance. The nature of the contact and relationship between the LEP individual and the individual offering services must be carefully considered (e.g., victim/suspect).

Except for exigent or very informal and non-confrontational circumstances, the use of an LEP individual's bilingual friends or family members, particularly children, are generally not recommended and department personnel shall make case-by-case determinations on the appropriateness of using such individuals (for further guidance see: Section V(3) of the DOJ Final Guidance available at the DOJ website).

341.4 LEP CONTACT SITUATIONS AND REPORTING
While all law enforcement contacts, services and individual rights are important, this department will utilize the four-factor analysis to prioritize language services so that they may be targeted where they are most needed.
Whenever any member of this department is required to complete a report or when other documentation and interpretation or translation services are provided to any involved LEP individual, such services should be noted in the related report.

341.4.1 RECEIVING AND RESPONDING TO REQUESTS FOR ASSISTANCE
In order to provide LEP individuals with meaningful access to police services when they are victims of, or witnesses to, alleged criminal activity or other emergencies, this department has designated its 9-1-1 lines as its top priority for language services. Department personnel will make every reasonable effort to promptly accommodate such LEP individuals utilizing 9-1-1 lines through any or all of the above resources.

While 9-1-1 calls shall receive top priority, reasonable efforts should also be made to accommodate LEP individuals seeking routine access to services and information by utilizing the resources listed in this policy.

341.4.2 EMERGENCY CALLS TO 9-1-1
When a 9-1-1 call-taker receives a call and determines that the caller is an LEP individual, the call-taker should quickly determine whether sufficient information can be obtained to initiate an appropriate emergency response. If language assistance is still needed, the language is known and a language-appropriate authorized interpreter is available in Dispatch, the call-taker should immediately connect the LEP caller to the interpreter.

If an appropriate authorized interpreter is not available, the call-taker will promptly connect the LEP caller to the contracted telephonic interpretation service directly for assistance in completing the call. Dispatchers will make every reasonable effort to dispatch a bilingual officer to the assignment, if available.

The Pleasant Hill Police Department will take reasonable steps and will work with the Human Resources Department to hire and develop in-house language capacity in Dispatch by hiring qualified personnel with specific language skills.

341.4.3 FIELD ENFORCEMENT AND INVESTIGATIONS
Field enforcement will generally include such contacts as traffic stops, pedestrian stops, serving warrants and restraining orders, crowd/traffic control and other routine field contacts which may involve LEP individuals. The scope and nature of these activities and contacts will inevitably vary. Department personnel must assess each situation to determine the need and availability for translation services to all involved LEP individuals and utilize the methods outlined in § 368.3 to provide appropriate language assistance.

Although not every situation can be addressed in this policy, it is important that department personnel are able to effectively communicate the reason for a contact, the need for information and the meaning or consequences of any enforcement action taken with an LEP individual. It would, for example, be meaningless to request consent to search if the person requesting is unable to effectively communicate with an LEP individual.
341.4.4 INVESTIGATIVE INTERVIEWS
In any situation where the translation of an interview may contain information that might be used in a criminal trial, it is important to take certain steps to improve the chances of admissibility. This includes interviews conducted during an investigation with victims, witnesses and suspects. In such situations, audio recordings of the interviews should be made when reasonably possible. Identification and contact information for the interpreter (e.g., name, address) should be documented so that the person can be subpoenaed for trial if necessary.

Any person selected as an interpreter and/or translator must have demonstrated competence in both English and the non-English language involved and knowledge of the functions of an interpreter that allows for correct and effective translation, and should not be a person with an interest in the case. The person providing interpretation or translation services may be required to establish the accuracy and trustworthiness of the interpretation or translation to the court.

341.4.5 CUSTODIAL INTERROGATIONS AND BOOKINGS
In an effort to ensure the rights of LEP individuals are protected during arrest and custodial interrogation, this department places a high priority on providing competent interpretation during such situations. It is further recognized that miscommunication during custodial interrogations may have a substantial impact on the evidence presented in any related criminal prosecution. As such, department personnel providing interpretation services or translated forms in these situations will have demonstrated competence in interpretation/translation and make every reasonable effort to accurately interpret/translate all communications with LEP individuals.

In order to ensure that translations during criminal investigations are documented accurately and admissible as evidence, audio recordings of interrogations, victim interviews and witness interviews should be used whenever reasonably possible.

Employees providing interpretation or translation services shall also be aware of the inherent communication impediments to gathering information from the LEP individual throughout the booking process or any other situation in which an LEP individual is within the control of department personnel. Medical screening questions are commonly used to elicit information on an individual's medical needs, suicidal inclinations, presence of contagious diseases, potential illness, resulting symptoms upon withdrawal from certain medications, or the need to segregate the arrestee from other prisoners, therefore it is important for members of this department to make every reasonable effort to provide effective language services in these situations.

341.4.6 COMPLAINTS
The Department shall ensure access to LEP persons who wish to file a complaint regarding the discharge of department duties. The Department may do so by providing interpretation assistance or translated forms to such individuals. If the Department responds to complaints filed by LEP individuals, the Department shall attempt to communicate its response in an accessible manner.
341.5 TRAINING
In an effort to ensure that all personnel in public contact positions (or having contact with those in custody) are properly trained, the Department will provide periodic training to personnel about LEP policies and procedures, including how to access department-authorized telephonic and in-person interpreters and other available resources.

The Professional Standards Sergeant shall be responsible for ensuring all new personnel receive LEP training and that all personnel receive refresher training at least once every two years thereafter. The Professional Standards Sergeant shall maintain records of all LEP training provided, with a copy in each member's training file, in accordance with established records retention schedules.

341.6 SUPPLEMENTAL MATERIALS PROVIDED TO DEPARTMENT EMPLOYEES
The following materials will be made available to employees to assist in providing access and service to LEP individuals:

(a) A list of departmental bilingual employees, languages spoken and contact and shift information
(b) A list of department-certified interpretation services, bilingual interpreters, languages spoken and contact and availability information
(c) The telephone number and access code of telephonic interpretation services
(d) Language identification cards
(e) Translated *Miranda* warning cards and other frequently used documents
(f) Audio recordings/warnings that are developed in non-English languages
Communications with Persons with Disabilities

342.1 PURPOSE AND SCOPE
This policy provides guidance to members when communicating with individuals with disabilities, including those who are deaf or hard of hearing, have impaired speech or vision, or are blind.

342.1.1 DEFINITIONS
Definitions related to this policy include:

Auxiliary aids - Tools used to communicate with people who have a disability or impairment. They include, but are not limited to, the use of gestures or visual aids to supplement oral communication; a notepad and pen or pencil to exchange written notes; a computer or typewriter; an assistive listening system or device to amplify sound; a teletypewriter (TTY) or videophones (video relay service or VRS); taped text; qualified readers; or a qualified interpreter.

Disability or impairment - A physical or mental impairment that substantially limits a major life activity, including hearing or seeing, regardless of whether the disabled person uses assistive or adaptive devices or auxiliary aids. Individuals who wear ordinary eyeglasses or contact lenses are not considered to have a disability (42 USC § 12102).

Qualified interpreter - A person who is able to interpret effectively, accurately and impartially, both receptively and expressively, using any necessary specialized vocabulary. Qualified interpreters include oral interpreters, translators, sign language interpreters and intermediary interpreters.

342.2 POLICY
It is the policy of the Pleasant Hill Police Department to reasonably ensure that people with disabilities, including victims, witnesses, suspects and arrestees have equal access to law enforcement services, programs and activities. Members must make efforts to communicate effectively with individuals with disabilities.

The Department will not discriminate against or deny any individual access to services, rights or programs based upon disabilities.

342.3 AMERICANS WITH DISABILITIES (ADA) COORDINATOR
The Chief of Police shall delegate certain responsibilities to an ADA Coordinator (28 CFR 35.107). The ADA Coordinator shall be appointed by, and directly responsible, to the Operations Division Commander or the authorized designee.

The responsibilities of the ADA Coordinator shall include, but not be limited to:

(a) Working with the City ADA coordinator regarding the Pleasant Hill Police Department’s efforts to ensure equal access to services, programs and activities.

(b) Developing reports, new procedures, or recommending modifications to this policy.
Communications with Persons with Disabilities

(c) Acting as a liaison with local disability advocacy groups or other disability groups regarding access to department services, programs and activities.

(d) Ensuring that a list of qualified interpreter services is maintained and available to each Watch Commander and Support Services Supervisor. The list should include information regarding the following:

1. Contact information
2. Availability

(e) Developing procedures that will enable members to access auxiliary aids or services, including qualified interpreters, and ensure the procedures are available to all members.

(f) Ensuring signage is posted in appropriate areas, indicating that auxiliary aids are available free of charge to people with disabilities.

(g) Ensuring appropriate processes are in place to provide for the prompt and equitable resolution of complaints and inquiries regarding discrimination in access to department services, programs and activities.

342.3.1 TELEPHONE INTERPRETER SERVICES

The Support Services Supervisor will maintain a list of qualified interpreter services to be contacted at department expense to assist deaf or hearing impaired individuals upon approval of a supervisor. When utilized, notification to such interpreters shall be made at the earliest reasonable opportunity and the interpreter should be available to respond within a reasonable time (generally not to exceed three hours).

342.4 FACTORS TO CONSIDER

Because the nature of any law enforcement contact may vary substantially from one situation to the next, members of this department should consider all information reasonably available to them when determining how to communicate with an individual with a disability. Members should carefully balance all known factors in an effort to reasonably ensure people who are disabled have equal access to services, programs and activities. These factors may include, but are not limited to:

(a) Members should not always assume that effective communication is being achieved. The fact that an individual appears to be nodding in agreement does not always mean he/she completely understands the message. When there is any doubt, members should ask the individual to communicate back or otherwise demonstrate their understanding.

(b) The nature of the disability (e.g., deafness or blindness vs. hard of hearing or low vision).

(c) The nature of the law enforcement contact (e.g., emergency vs. non-emergency, custodial vs. consensual contact).
(d) The availability of auxiliary aids. The fact that a particular aid is not available does not eliminate the obligation to reasonably ensure access. However, in an emergency, availability may factor into the type of aid used.

342.5 INITIAL AND IMMEDIATE CONSIDERATIONS
Recognizing that various law enforcement encounters may be potentially volatile and/or emotionally charged, members should remain alert to the possibility of communication problems.

Members should exercise special care in the use of all gestures, and verbal and written communication to minimize initial confusion and misunderstanding when dealing with any individual with known or suspected disabilities.

In a non-emergency situation, when a member knows or suspects an individual requires assistance to effectively communicate, the member shall identify the individual's choice of auxiliary aid or service.

The individual's preferred communication method must be honored unless another effective method of communication exists under the circumstances (28 CFR 35.160).

Factors to consider when determining whether an alternative method is effective include:

(a) The methods of communication usually used by the individual.
(b) The nature, length and complexity of the communication involved.
(c) The context of the communication.

In emergency situations involving an imminent threat to the safety or welfare of any person, members may use whatever auxiliary aids and services that reasonably appear effective under the circumstances. This may include, for example, exchanging written notes or using the services of a person who knows sign language but is not a qualified interpreter, even if the person who is deaf or hard of hearing would prefer a qualified sign language interpreter or another appropriate auxiliary aid or service. Once the emergency has ended, the continued method of communication should be reconsidered. The member should inquire as to the individual's preference and give primary consideration to that preference.

If an individual who is deaf, hard of hearing or has impaired speech must be handcuffed while in the custody of the Pleasant Hill Police Department, consideration should be given, safety permitting, to placing the handcuffs in the front of the body to facilitate communication using sign language or writing.

342.6 TYPES OF ASSISTANCE AVAILABLE
Pleasant Hill Police Department members shall never refuse to assist an individual with disabilities who is requesting assistance. The Department will not charge anyone to receive auxiliary aids, nor shall they require anyone to furnish their own auxiliary aid or service as a condition for receiving assistance. The Department will make every reasonable effort to provide equal access and timely assistance to individuals who are disabled through a variety of services.
A person who is disabled may choose to accept department-provided auxiliary aids or services or they may choose to provide their own.

Department-provided auxiliary aids or services may include, but are not limited to, the assistance methods described in this policy.

**342.7 AUDIO RECORDINGS AND ENLARGED PRINT**
The Department may develop audio recordings to assist people who are blind or have a visual impairment with accessing important information. If such a recording is not available, members may read aloud from the appropriate form, for example a personnel complaint form, or provide forms with enlarged print.

**342.8 QUALIFIED INTERPRETERS**
A qualified interpreter may be needed in lengthy or complex transactions (e.g., interviewing a victim, witness, suspect or arrestee), if the individual to be interviewed normally relies on sign language or speechreading (lip-reading) to understand what others are saying. The qualified interpreter should not be a person with an interest in the case or investigation involving the disabled individual. A person providing interpretation services may be required to establish the accuracy and trustworthiness of the interpretation in a court proceeding.

Qualified interpreters should be:

(a) Available within a reasonable amount of time but in no event longer than one hour if requested.

(b) Experienced in providing interpretation services related to law enforcement matters.

(c) Familiar with the use of VRS and/or video remote interpreting services.

(d) Certified in either American Sign Language (ASL) or Signed English (SE).

(e) Able to understand and adhere to the interpreter role without deviating into other roles, such as counselor or legal adviser.

(f) Knowledgeable of the ethical issues involved when providing interpreter services.

Members should use department-approved procedures to request a qualified interpreter at the earliest reasonable opportunity, and generally not more than 15 minutes after a request for an interpreter has been made or it is reasonably apparent that an interpreter is needed. No individual who is disabled shall be required to provide his/her own interpreter (28 CFR 35.160).

**342.9 TTY AND RELAY SERVICES**
In situations where an individual without a disability would have access to a telephone (e.g., booking or attorney contacts), members must also provide those who are deaf, hard of hearing or have impaired speech the opportunity to place calls using an available TTY (also known as a telecommunications device for deaf people, or TDD). Members shall provide additional time, as needed, for effective communication due to the slower nature of TTY and TDD communications.
The Department will accept all TTY or TDD calls placed by those who are deaf or hard of hearing and received via a telecommunications relay service (28 CFR 35.162).

Note that relay services translate verbatim, so the conversation must be conducted as if speaking directly to the caller.

342.10 COMMUNITY VOLUNTEERS
Interpreter services may be available from community volunteers who have demonstrated competence in communication services, such as ASL or SE, and have been approved by the Department to provide interpreter services.

Where qualified interpreters are unavailable to assist, approved community volunteers who have demonstrated competence may be called upon when appropriate. However, department members must carefully consider the nature of the contact and the relationship between the individual with the disability and the volunteer to ensure that the volunteer can provide neutral and unbiased assistance.

342.11 FAMILY AND FRIENDS
While family or friends may offer to assist with interpretation, members should carefully consider the circumstances before relying on such individuals. The nature of the contact and relationship between the individual with the disability and the person offering services must be carefully considered (e.g., victim/suspect).

Children shall not be relied upon except in emergency or critical situations when there is no qualified interpreter reasonably available.

Adults may be relied upon when (28 CFR 35.160):

(a) There is an emergency or critical situation and there is no qualified interpreter reasonably available.

(b) The person with the disability requests that the adult interpret or facilitate communication and the adult agrees to provide such assistance, and reliance on that adult for such assistance is reasonable under the circumstances.

342.12 TRAINING
To ensure that all members who may have contact with individuals who are disabled are properly trained, the Department will provide periodic training that should include:

(a) Awareness and understanding of this policy and related procedures, related forms and available resources.

(b) Procedures for accessing qualified interpreters and other available resources.

(c) Working with in-person and telephone interpreters and related equipment.
Communications with Persons with Disabilities

The Professional Standards Sergeant shall be responsible for ensuring new members receive training related to interacting with individuals who have disabilities, including individuals who are deaf, hard of hearing, who have impaired speech or vision, or are blind. Those who may have contact with such individuals should receive refresher training at least once every two years thereafter. The Professional Standards Sergeant shall maintain records of all training provided, and will retain a copy in each member’s training file in accordance with established records retention schedules.

342.12.1 CALL-TAKER TRAINING
Emergency call-takers shall be trained in the use of TTY equipment protocols for communicating with individuals who are deaf, hard of hearing or who have speech impairments. Such training and information should include:

(a) The requirements of the ADA and Section 504 of the Rehabilitation Act for telephone emergency service providers.
(b) ASL syntax and accepted abbreviations.
(c) Practical instruction on identifying and processing TTY or TDD calls, including the importance of recognizing silent TTY or TDD calls, using proper syntax, abbreviations and protocol when responding to TTY or TDD calls.
(d) Hands-on experience in TTY and TDD communications, including identification of TTY or TDD tones.

Training should be mandatory for all Dispatch members who may have contact with individuals from the public who are deaf, hard of hearing or have impaired speech. Refresher training should occur every six months.

342.13 COMMUNITY OUTREACH
Community outreach programs and other such services offered by this department are important to the ultimate success of more traditional law enforcement duties. This department will continue to work with community groups, local businesses and neighborhoods to provide equal access to such programs and services.

342.14 COMPLAINTS
The Department shall ensure that individuals with disabilities who wish to file a complaint regarding members of this department are able to do so. The Department may provide a qualified interpreter or forms in enlarged print, as appropriate. Complaints will be referred to the department ADA Coordinator.

Investigations into such complaints shall be handled in accordance with the Personnel Complaints Policy. Qualified interpreters used during the investigation of a complaint should not be members of this Department.
Communications with Persons with Disabilities

342.15 ARREST AND BOOKINGS
If an individual with speech or hearing disabilities is arrested, the arresting officer shall use department-approved procedures to provide a qualified interpreter at the place of arrest or booking as soon as reasonably practicable, unless the individual indicates that he/she prefers a different auxiliary aid or service or the officer reasonably determines another effective method of communication exists under the circumstances.

When gathering information during the booking process, members should remain alert to the impediments that often exist when communicating with those who are deaf, hard of hearing, who have impaired speech or vision, are blind, or have other disabilities. In the interest of the arrestee’s health and welfare, the safety and security of the facility and to protect individual rights, it is important that accurate medical screening and booking information be obtained. If necessary, members should seek the assistance of a qualified interpreter whenever there is concern that accurate information cannot be obtained or that booking instructions may not be properly understood by the individual.

Individuals who require and possess personally owned communication aids (e.g., hearing aids, cochlear processors) should be permitted to retain them while in custody.

342.16 CUSTODIAL INTERROGATIONS
In an effort to ensure that the rights of individuals who are deaf, hard of hearing or have speech impairment are protected during a custodial interrogation, this department will provide interpreter services before beginning an interrogation, unless exigent circumstances exist or the individual has made a clear indication that he/she understands the process and desires to proceed without an interpreter. The use of a video remote interpreting service should be considered, where appropriate, if a live interpreter is not available. Miranda warnings shall be provided to suspects who are deaf or hard of hearing by a qualified interpreter or by providing a written Miranda warning card.

In order to ensure that communications during custodial investigations are accurately documented and are admissible as evidence, interrogations should be recorded whenever reasonably possible. See guidance on recording custodial interrogations in the Investigation and Prosecution Policy.

342.17 REPORTING
Whenever any member of this department is required to complete a report or other documentation, and communication assistance has been provided, such services should be noted in the related report. Members should document the type of communication services utilized and whether the individual elected to use services provided by the Department or some other identified source. If the individual’s express preference is not honored, the member must document why another method of communication was used.

All written communications exchanged in a criminal case shall be attached to the report or placed into evidence.
Communications with Persons with Disabilities

342.18 FIELD ENFORCEMENT
Field enforcement will generally include such contacts as traffic stops, pedestrian stops, serving warrants and restraining orders, crowd/traffic control and other routine field contacts that may involve individuals with disabilities. The scope and nature of these activities and contacts will inevitably vary.

The Department recognizes that it would be virtually impossible to provide immediate access to complete communication services to every member of this department. Members and/or supervisors must assess each situation and consider the length, complexity and importance of the communication, as well as the individual’s preferred method of communication, when determining the type of resources to use and whether a qualified interpreter is needed.

Although not every situation can be addressed in this policy, it is important that members are able to effectively communicate the reason for a contact, the need for information and the meaning or consequences of any enforcement action. For example, it would be meaningless to verbally request consent to search if the officer is unable to effectively communicate with an individual who is deaf or hard of hearing and requires communications assistance.

If available, officers should obtain the assistance of a qualified interpreter before placing an individual with a disability under arrest. Individuals who are arrested and are assisted by service animals should be permitted to make arrangements for the care of such animals prior to transport.

342.18.1 FIELD RESOURCES
Examples of methods that may be sufficient for transactions, such as checking a license or giving directions to a location or for urgent situations such as responding to a violent crime in progress, may, depending on the circumstances, include such simple things as:

(a) Hand gestures or visual aids with an individual who is deaf, hard of hearing or has impaired speech.

(b) Exchange of written notes or communications.

(c) Verbal communication with an individual who can speechread by facing the individual and speaking slowly and clearly.

(d) Use of computer, word processing, personal communication device or similar device to exchange texts or notes.

(e) Slowly and clearly speaking or reading simple terms to individuals who have a visual or mental impairment.

Members should be aware that these techniques may not provide effective communication as required by law and this policy depending on the circumstances.
Mandatory Employer Notification

343.1 PURPOSE AND SCOPE
The purpose of this policy is to describe the requirements and procedures to follow when a public or private school employee (teacher and non-teacher) has been arrested under certain circumstances.

343.2 POLICY
The Pleasant Hill Police Department will meet the reporting requirements of California law to minimize the risks to children and others.

343.3 MANDATORY SCHOOL EMPLOYEE ARREST REPORTING
In the event a school employee is arrested for any offense enumerated below, the Chief of Police or his/her designee is required to report the arrest as follows.

343.3.1 ARREST OF PUBLIC SCHOOL TEACHER
In the event a public school teacher is arrested for any controlled substance offense enumerated in Health and Safety Code § 11590 or Health and Safety Code § 11364, in so far as that section relates to Health and Safety Code § 11054(d)(12), or for any of the offenses enumerated in Penal Code § 290, Penal Code § 261(a) or Education Code § 44010, the Chief of Police or his/her designee is mandated to immediately notify by telephone the superintendent of the school district employing the teacher and to immediately give written notice of the arrest to the Commission on Teacher Credentialing and to the superintendent of schools in the county where the person is employed (Health and Safety Code § 11591; Penal Code § 291).

343.3.2 ARREST OF PUBLIC SCHOOL NON-TEACHER EMPLOYEE
In the event a public school non-teacher employee is arrested for any controlled substance offense enumerated in Health and Safety Code § 11590 or Health and Safety Code § 11364, in so far as that section relates to Health and Safety Code § 11054(d)(12), or for any of the offenses enumerated in Penal Code § 290, Penal Code § 261(a) or Education Code § 44010, the Chief of Police or his/her designee is mandated to immediately notify by telephone the superintendent of the school district employing the non-teacher and to immediately give written notice of the arrest to the governing board of the school district employing the person (Health and Safety Code § 11591; Penal Code § 291).

343.3.3 ARREST OF PRIVATE SCHOOL TEACHER
In the event a private school teacher is arrested for any controlled substance offense enumerated in Health and Safety Code § 11590 or Health and Safety Code § 11364, in so far as that section relates to Health and Safety Code § 11054(d)(12), or for any of the offenses enumerated in Penal Code § 290 or Education Code § 44010, the Chief of Police or his/her designee is mandated to immediately notify by telephone the private school authority employing the teacher.
and to immediately give written notice of the arrest to the private school authority employing the teacher (Health and Safety Code § 11591; Penal Code § 291.1).

343.3.4 ARREST OF COMMUNITY COLLEGE INSTRUCTOR
In the event a teacher or instructor employed in a community college district school is arrested for any controlled substance offense enumerated in Health and Safety Code § 11590 or Health and Safety § 11364, in so far as that section relates to Health and Safety Code § 11054(d)(9), or for any of the offenses enumerated in Penal Code § 290 or in Penal Code § 261(a)(1), the Chief of Police or the authorized designee is mandated to immediately notify by telephone the superintendent of the community college district employing the person, and shall immediately give written notice of the arrest to the California Community Colleges Chancellor’s Office (Health and Safety Code § 11591.5; Penal Code § 291.5).

343.4 ARREST OF PERSONS EMPLOYED IN COMMUNITY CARE FACILITIES
In the event an employee of a community treatment facility, a day treatment facility, a group home, a short-term residential therapeutic program or a foster family agency is arrested for child abuse (as defined in Penal Code § 11165.6) and the employee is free to return to work where children are present, the investigating member shall notify the licensee of the charge of abuse (Health and Safety Code § 1522.2).
Biological Samples

344.1 PURPOSE AND SCOPE
This policy provides guidelines for the collection of biological samples from those individuals required to provide samples upon conviction or arrest for certain offenses. This policy does not apply to biological samples collected at a crime scene or taken from a person in conjunction with a criminal investigation. Nor does it apply to biological samples from those required to register, for example, sex offenders.

344.2 POLICY
The Pleasant Hill Police Department will assist in the expeditious collection of required biological samples from offenders in accordance with the laws of this state and with as little reliance on force as practicable.

344.3 PERSONS SUBJECT TO DNA COLLECTION
Those who must submit a biological sample include (Penal Code § 296):

(a) A person, including a juvenile, upon conviction or other adjudication of any felony offense.
(b) A person, including a juvenile, upon conviction or other adjudication of any offense if the person has a prior felony on record.
(c) An adult arrested or charged with any felony.

344.4 PROCEDURE
When an individual is required to provide a biological sample, a trained employee shall obtain the sample in accordance with this policy.

344.4.1 COLLECTION
The following steps should be taken to collect a sample:

(a) Verify that the individual is required to provide a sample pursuant to Penal Code § 296; Penal Code § 296.1.
(b) Verify that a biological sample has not been previously collected from the offender by querying the individual’s criminal history record for a DNA collection flag or, during regular business hours, calling the California Department of Justice (DOJ) designated DNA laboratory. There is no need to obtain a biological sample if one has been previously obtained.
(c) Use a DNA buccal swab collection kit provided by the California DOJ to perform the collection and take steps to avoid cross contamination.
344.5 USE OF FORCE TO OBTAIN SAMPLES
If a person refuses to cooperate with the sample collection process, officers should attempt to identify the reason for refusal and seek voluntary compliance without resorting to using force. Force will not be used in the collection of samples except as authorized by court order and only with the approval of a supervisor. Methods to consider when seeking voluntary compliance include contacting:

(a) The person’s parole or probation officer when applicable.
(b) The prosecuting attorney to seek additional charges against the person for failure to comply or to otherwise bring the refusal before a judge.
(c) The judge at the person’s next court appearance.
(d) The person’s attorney.
(e) A chaplain.
(f) Another custody facility with additional resources, where an arrestee can be transferred to better facilitate sample collection.
(g) A supervisor who may be able to authorize custodial disciplinary actions to compel compliance, if any are available.

The supervisor shall review and approve any plan to use force and be present to document the process.

344.5.1 CELL EXTRACTIONS
If the use of force includes a cell extraction, the extraction shall be video recorded, including audio. Video shall be directed at the cell extraction event. The video recording shall be retained by the Department for the length of time required by statute. Notwithstanding the use of the video as evidence in a criminal proceeding, the tape shall be retained administratively (15 CCR 1059).

344.6 LEGAL MANDATES AND RELEVANT LAWS
California law provides for the following:

344.6.1 DOCUMENTATION RELATED TO FORCE
The Watch Commander shall prepare prior written authorization for the use of any force (15 CCR 1059). The written authorization shall include information that the subject was asked to provide the requisite specimen, sample or impression and refused, as well as the related court order authorizing the force.

344.6.2 BLOOD SAMPLES
A blood sample should only be obtained under this policy when:

(a) The California DOJ requests a blood sample and the subject consents, or
(b) A court orders a blood sample following a refusal.
Biological Samples

The withdrawal of blood may only be performed in a medically approved manner by health care providers trained and qualified to draw blood. A California DOJ collection kit shall be used for this purpose (Penal Code § 298(a); Penal Code § 298(b)(2)).

344.6.3 LITIGATION
The Chief of Police or authorized designee should notify the California DOJ’s DNA Legal Unit in the event this department is named in a lawsuit involving the DNA Data Bank sample collection, sample use or any aspect of the state’s DNA Data Bank Program.
Automatic External Defibrillator (AED) Use

345.1 PURPOSE AND SCOPE
The purpose of this policy is to establish standards for use of the Automatic External Defibrillator (AED).

345.2 POLICY
It shall be the policy of the Department that all officers while acting within the course and scope of their duties be familiar and trained in the use of the Automatic External Defibrillator (AED). Officers will follow the guidelines established by the American Heart Association and use the protocols established by Contra Costa Emergency Medical Services (EMS).

345.2.1 GENERAL USE
The AED is to be used when cardiac arrest has occurred, there is no pulse or respiration, and Cardio-Pulmonary Resuscitation (CPR) has been initiated.

345.3 PROCEDURE
(a) DEPLOYMENT
If an officer encounters an emergency, and paramedics or ambulance personnel are not present, the officer should be prepared to use the AED where the primary complaint is: 1. CPR in progress; 2. Unconscious/unresponsive; 3. Difficulty breathing/not breathing; 4. Chest pain; 5. Dizziness; This should not be construed that officers will be dispatched to reports of medical emergencies.

(b) APPLICATION
The AED will be applied to the patient only when there is no pulse, not breathing, or agonal respirations. Follow Contra Costa EMS Agency guidelines for when to attach an AED.

(c) POST DEPLOYMENT
1. The AED will be taken out of service until the data card can be replaced; 2. When the AED is used, the EMS Public Safety AED Use Report shall be completed (one copy of each will be submitted to the case file and to the Defibrillation Program Coordinator/Instructor within 24 hours):

345.4 MAINTENANCE
The AED is a self-testing device. The AED units will be located in the trunk of the patrol cars. At the beginning of each shift, each officer should check the AED in the vehicle, the additional items (an extra set of electrodes, gloves, a one-way mask, and alcohol swabs), and the status LED on the AED unit. A green light indicates the unit is ready for use. If during the self-test a deficiency is detected, an alarm will sound and the status light will be red. If this should occur, the following procedure will be followed: (a) The AED unit will be removed from the vehicle and placed "out of service".

(b) The battery will be removed to still the alarm;
(c) The officer will tag the unit with a Request for Service form and place a copy of the form in the Defibrillation Coordinator's box.

(d) The unit will be left with the Watch Commander for service;

(e) When the unit is placed back into service, the officer will ensure that the unit is ready for use by checking the green status light and inspecting the additional supplies.

345.5 TRAINING
Training for the use of the AED will follow procedures established by the American Heart Association and follow the guidelines established by Contra Costa Emergency Medical Services and the State of California. A trained/certified officer will train department employees. Refresher training will take place annually. All officers will satisfactorily perform functions that demonstrate proficiency at any time. Written tests will be required during training and must be successfully passed by officers.

345.5.1 PROGRAM COORDINATOR
The Program Coordinator will be the designated Primary First Aid/CPR Instructor. The Coordinator will be responsible for maintaining all AED Use Report Records and notifying the Contra Costa EMS Agency of each use.

Annually, the Coordinator will submit an EMS Annual Report by January 31st of each year to the Contra Costa EMS Agency and the Patrol Division Commander. The report documents the use of the AED's throughout the year and shall include a list of personnel authorized to use an AED.
Aggressive/Dangerous or Vicious Animals

347.1 PURPOSE AND SCOPE
The purpose of this order is to provide members of this Department with guidelines for handling aggressive, dangerous or vicious animals. While there is no way to specify the exact amount or type of reasonable force to applied in any situation, Department personnel are expected to use these guidelines to make such decisions in a professional, impartial and safe manner.

347.1.1 PHILOSOPHY
The use of force by law enforcement personnel upon animals is matter of concern to both the public and law enforcement community. Officers may use force upon animals when warranted in carrying out of their duties.

The Department recognizes and respects the value of community members' pets and other animal(s). It is understood that vesting officers with the authority to use reasonable force and protect the public welfare requires a careful balancing of all interests.

Officers must have an understanding of, and true appreciation for, the limitations of their authority. This is true with respect to officers overcoming aggressive, dangerous or vicious animals while engaged in the performance of their duties.

347.1.2 POLICY
It is the policy of this Department that personnel shall use only that amount of force that reasonably appears necessary, given the facts and circumstances perceived by the officer at the time of the event, to be effectively bring an incident under control which involves an animal. "Reasonableness" of the force used must be judged from the perspective of an officer on the scene at the time of the incident. Any interpretation of the "reasonableness" must allow for the fact that police officers are often forced to make split-second decisions about the amount of force that is necessary in the particular situation, under circumstances that are frequently tense, uncertain, and that evolve rapidly.

347.1.3 PENAL CODE SECTION 491
Dogs are personal property and their value is to be ascertained in the same manner as the value of other property.

347.1.4 SERVICE OF SEARCH WARRANT
Officers attempting the service of a search warrant shall include during planning, strategies for dealing with aggressive, dangerous or vicious pets and/or other animals. The gathering of intelligence that is used in pre-planning the service of warrants should include the element of aggressive, dangerous, or vicious pets, and/or other animals whenever practical.

If informants are being used, they should be interviewed, if practical, to determine if pets or other potentially aggressive, dangerous or vicious animals are present at the location of a search warrant.
Aggressive/Dangerous or Vicious Animals

Visual observations by officers prior to the service of the warrant, either made by walking or driving by the location, are also techniques that can be used to determine if animals are present at the scene.

Personnel should attempt to check records for the location being investigated to determine if there are indications that animals have been present in the past.

Some animals will exhibit territorial or aggressive behavior when officers enter property where animals are kept. The planning for the execution of search warrants shall include how personnel plan to deal with any animals found on the property. Planning may include making contact with Contra Costa County Animal Services to determine if an Animal Services Officer can be present to help deal with the pets and other animals during entry onto the property.

347.1.5 FACTORS REGARDING REASONABLENESS
When determining whether or not to apply any level of force or evaluating whether police personnel have used reasonable force, a number of factors should be taken into consideration. These factors include, but are not limited to:

(a) Behavior of the animal(s) being confronted (as reasonably perceived by the police personnel at the time of the incident).
(b) The number of animals, as well as their size, injuries, apparent level of fitness, and physical surroundings
(c) Availability of other options (i.e., what resources are reasonably available to the police personnel under the circumstances)
(d) Potential for injury to persons, suspects, and department personnel
(e) Risk of an aggressive, dangerous and/or vicious animal fleeing into residential or business areas
(f) Other exigent circumstances
(g) Training and experience of the officer.

It is recognized that officers are expected to make split-second decisions and that the amount of officer’s time available to evaluate and respond to changing circumstances may impact his or her decision.

An officer is expected to use only that degree of force reasonable under the circumstances to successfully accomplish the legitimate law enforcement purpose in accordance with this policy.

347.1.6 FORCE APPLICATIONS
(a) OC spray may be helpful in deterring some aggressive animals. If OC Spray is used, department personnel need to be aware of wind conditions and other situations that can cause them to become affected by the spray, or that might contaminate the scene for officers entering the location.
Aggressive/Dangerous or Vicious Animals

(b) The use of the Taser, when available, is a force option that may be considered. Personnel need to be aware, however, that Taser deployments may sometimes fail to control or incapacitate an animal for a variety or reasons.

(c) Impact weapons are also devices that can be used against animals, although they will generally not be as effective as a successfully deployed Taser. Impact weapons may stun or divert many, but likely not all, aggressive animals.

Given that no policy can realistically predict every possible situation an officer may encounter it is recognized each officer must be entrusted with well reasoned discretion in determining the appropriate use of force in each incident. While it is the ultimate objective of every law enforcement encounter to minimize injury for all parties, nothing in this policy requires an officer to actually sustain physical injury before applying reasonable force.

347.1.7 USE OF DEADLY FORCE
Use of deadly force is justified in the following circumstances:

(a) An Officer may use deadly force to protect him or herself or others from what they reasonably believe would be an immediate threat of death or serious bodily injury. (Policy Manual section 304 further details the use of firearms.)

347.1.8 REPORTING USES OF FORCE
Deployments of force upon animals will be described in the narratives of crime reports or police reports. Discharges of firearms will be reviewed per Policy Manual section 302.

Patrol Division supervisors will make notification of the use of force upon animals to the Patrol Division Commander via the Supervisor's Daily Report. See also Policy Manual section 358 for further details.

347.1.9 NOTIFICATION TO OWNER/VET. ATTENTION
Department personnel shall notify the owner or responsible person of the use of force upon a pet as soon as possible and practical.

Veterinary attention shall be obtained as soon as practical for any live canine that has sustained visible injuries, or been rendered unconscious. Veterinary attention shall be obtained for other animals when practical. The Contra Costa County Animal Services Department may be called to the scene of the use of force to assist in rendering aid to injured canines and animals. Additionally, veterinary attention shall be obtained for any animal when deemed necessary by an officer or supervisor.
Child and Dependent Adult Safety

348.1 PURPOSE AND SCOPE
This policy provides guidelines to ensure that children and dependent adults are not left without appropriate care in the event their caregiver or guardian is arrested or otherwise prevented from providing care due to actions taken by members of this department (Penal Code § 833.2(a)).

This policy does not address the actions to be taken during the course of a child abuse or dependent adult investigation. These are covered in the Child Abuse and the Adult Abuse policies.

348.1.1 POLICY
It is the policy of this department to mitigate, to the extent reasonably possible, the stressful experience children may have when their parent or caregiver is arrested.

348.2 POLICY
It is the policy of this department to mitigate, to the extent reasonably possible, the stressful experience individuals may have when their parent or caregiver is arrested. The Pleasant Hill Police Department will endeavor to create a strong, cooperative relationship with local, state and community-based social services to ensure an effective, collaborative response that addresses the needs of those affected.

348.2.1 AFTER AN ARREST
Whenever an arrest is made, the officer should take all reasonable steps to ensure the safety of the arrestee's disclosed or discovered, dependent minor children.

Officers should allow the arrestee reasonable time to arrange for care of minor children. Temporary placement of the child with family or friends may be appropriate. However, any decision should give priority to a child-care solution that is in the best interest of the child. In such cases the following guidelines should be followed:

(a) Allow the person reasonable time to arrange for the care of minor children with a responsible party, as appropriate.
   1. Unless there is evidence to the contrary (e.g., signs of abuse, drug use, unsafe environment), officers should respect the parent's judgment regarding arrangements for child care. It is generally best if the child remains with relatives or family friends the child knows and trusts. Consideration regarding the child's familiarity with the surroundings, comfort, emotional state and safety should be paramount.
   2. Except when a court order exists limiting contact, the officer should attempt to locate and place dependent children with the non-arrested parent or guardian.

(b) Provide for the immediate supervision of minor children until an appropriate caregiver arrives.
(c) Notify Child Protective Services if appropriate.

(d) Notify the Watch Commander of the disposition of minor children.

If children are at school or at a known location outside the household at the time of arrest, the arresting officer should attempt to contact the school or other known location and inform the principal or appropriate responsible adult of the parent's arrest and of the arrangements being made for the care of the arrestee's children, and then record the result of such actions in the associated report.

348.2.2 DURING THE BOOKING PROCESS
During the booking process the arrestee shall be allowed to make additional free local phone calls to relatives or other responsible individuals as is reasonably necessary to arrange for the care of any minor dependent child. These phone calls shall be given immediately upon request or as soon as practicable and are in addition to any other phone calls allowed by law (Penal Code § 851.5(c)).

348.3 PROCEDURES DURING AN ARREST
When encountering an arrest or prolonged detention situation, officers should make reasonable attempts to determine if the arrestee is responsible for children or dependent adults. In some cases this may be obvious, such as when children or dependent adults are present. However, officers should inquire if the arrestee has caregiver responsibilities for any children or dependent adults who are without appropriate supervision. The following steps should be taken (Penal Code § 13517.7(b)(1)):

(a) Inquire about and confirm the location of any children or dependent adults.

(b) Look for evidence of children and dependent adults. Officers should be mindful that some arrestees may conceal the fact that they have a dependent for fear the individual may be taken from them.

(c) Consider inquiring of witnesses, neighbors, friends and relatives of the arrestee as to whether the person is responsible for a child or dependent adult.

Whenever reasonably possible, officers should take reasonable steps to accomplish the arrest of a parent, guardian or caregiver out of the presence of his/her child or dependent adult. Removing children or dependent adults from the scene in advance of the arrest will generally ensure the best outcome for the individual.

Whenever it is safe to do so, officers should allow the parent or caregiver to assure children or dependent adults that they will be provided care. If this is not safe or if the demeanor of the parent or caregiver suggests this conversation would be non-productive, the officer at the scene should explain the reason for the arrest in age-appropriate language and offer reassurance to the child or dependent adult that he/she will receive appropriate care.
348.3.1 SUPPORT AND COUNSELING REFERRAL
If, in the judgment of the handling officers, the child or dependent adult would benefit from additional assistance, such as counseling services, contact with a victim advocate or a crisis telephone number, the appropriate referral information may be provided.

348.3.2 REPORTING
(a) For all arrests where children are present or living in the household, the reporting member will document the following information:
1. Name
2. Sex
3. Age
4. Special needs (e.g., medical, mental health)
5. How, where and with whom or which agency the child was placed
6. Identities and contact information for other potential caregivers
7. Notifications made to other adults (e.g., schools, relatives)

(b) For all arrests where dependent adults are present or living in the household, the reporting member will document the following information:
1. Name
2. Sex
3. Age
4. Whether he/she reasonably appears able to care for him/herself
5. Disposition or placement information if he/she is unable to care for him/herself

348.3.3 AFTER AN ARREST
Whenever an arrest is made, the officer should take all reasonable steps to ensure the safety of the arrestee’s disclosed or discovered children or dependent adults.

Officers should allow the arrestee reasonable time to arrange for care of children and dependent adults. Temporary placement with family or friends may be appropriate. However, any decision should give priority to a care solution that is in the best interest of the child or dependent adult. In such cases the following guidelines should be followed:

(a) Allow the person reasonable time to arrange for the care of children and dependent adults with a responsible party, as appropriate.
1. Officers should consider allowing the person to use his/her cell phone to facilitate arrangements through access to contact phone numbers, and to lessen the likelihood of call screening by the recipients due to calls from unknown sources.
Child and Dependent Adult Safety

(b) Unless there is evidence to the contrary (e.g., signs of abuse, drug use, unsafe environment), officers should respect the parent or caregiver’s judgment regarding arrangements for care. It is generally best if the child or dependent adult remains with relatives or family friends that he/she knows and trusts because familiarity with surroundings and consideration for comfort, emotional state and safety are important.

1. Except when a court order exists limiting contact, the officer should attempt to locate and place children or dependent adults with the non-arrested parent, guardian or caregiver.

(c) Provide for the immediate supervision of children or dependent adults until an appropriate caregiver arrives.

(d) Notify Child Protective Services or the Division of Aging and Adult Services, if appropriate.

(e) Notify the field supervisor or Watch Commander of the disposition of children or dependent adults.

If children or dependent adults are at school or another known location outside the household at the time of arrest, the arresting officer should attempt to contact the school or other known location and inform the principal or appropriate responsible adult of the caregiver’s arrest and of the arrangements being made for the care of the arrestee’s dependent. The result of such actions should be documented in the associated report.

348.3.4 DURING THE BOOKING PROCESS
During the booking process the arrestee shall be allowed to make additional telephone calls to relatives or other responsible individuals as is reasonably necessary to arrange for the care of any child or dependent adult. These telephone calls should be given as soon as practicable and are in addition to any other telephone calls allowed by law (Penal Code § 851.5(c)).

If an arrestee is unable to resolve the care of any child or dependent adult through this process, a supervisor should be contacted to determine the appropriate steps to arrange for care. These steps may include additional telephone calls or contacting a local, county or state services agency.

348.4 TRAINING
The Professional Standards Sergeant is responsible to ensure that all personnel of this department who may be involved in arrests affecting children or dependent adults receive approved POST-approved training on effective safety measures when a parent, guardian or caregiver is arrested (Penal Code § 13517.7).
Service Animal Policy

349.1 PURPOSE AND SCOPE
The purpose of this policy is to provide the guidelines necessary to ensure the rights of individuals who use service animals to assist with disabilities are protected in accordance with Title II of the Americans with Disabilities Act of 1990 (ADA).

349.1.1 DEFINITIONS
Definitions related to this policy include:

**Service animal** - A dog that is trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual or other mental disability. The work or tasks performed by a service animal must be directly related to the individual’s disability (28 CFR 35.104; Health and Safety Code § 113903).

Service animal also includes a miniature horse if the horse is trained to do work or perform tasks for people with disabilities, provided the horse is housebroken, is under the handler’s control, the facility can accommodate the horse’s type, size and weight, and the horse’s presence will not compromise legitimate safety requirements necessary for safe operation of the facility (28 CFR 35.136(i)).

349.2 POLICY
It is the policy of the Pleasant Hill Police Department to provide services and access to persons with service animals in the same manner as those without service animals. Department members shall protect the rights of persons assisted by service animals in accordance with state and federal law.

349.3 IDENTIFICATION AND USE OF SERVICE ANIMALS
Some service animals may be readily identifiable. However, many do not have a distinctive symbol, harness or collar.

Service animals may be used in a number of ways to provide assistance, including:

- Guiding people who are blind or have low vision.
- Alerting people who are deaf or hard of hearing.
- Retrieving or picking up items, opening doors or flipping switches for people who have limited use of their hands, arms or legs.
- Pulling wheelchairs.
- Providing physical support and assisting with stability and balance.
- Doing work or performing tasks for persons with traumatic brain injury, intellectual disabilities or psychiatric disabilities, such as reminding a person with depression to take medication.
Service Animal Policy

- Alerting a person with anxiety to the onset of panic attacks, providing tactile stimulation to calm a person with post-traumatic stress disorder, assisting people with schizophrenia to distinguish between hallucinations and reality, and helping people with traumatic brain injury to locate misplaced items or follow daily routines.

349.4 MEMBER RESPONSIBILITIES
Service animals that are assisting individuals with disabilities are permitted in all public facilities and areas where the general public is allowed. Department members are expected to treat individuals with service animals with the same courtesy and respect that the Pleasant Hill Police Department affords to all members of the public (28 CFR 35.136).

349.4.1 INQUIRY
If it is apparent or if a member is aware that an animal is a service animal, the individual generally should not be asked any questions as to the status of the animal. If it is unclear whether an animal meets the definition of a service animal, the member should ask the individual only the following questions (28 CFR 35.136(f)):

- Is the animal required because of a disability?
- What task or service has the service animal been trained to perform?

If the individual explains that the animal is required because of a disability and has been trained to work or perform at least one task, the animal meets the definition of a service animal and no further questions as to the animal’s status should be asked. The individual should not be questioned about his/her disability nor should the person be asked to provide any license, certification or identification card for the service animal.

349.4.2 CONTACT
Service animals are not pets. Department members should not interfere with the important work performed by a service animal by talking to, petting or otherwise initiating contact with a service animal.

349.4.3 COMPLAINTS
When handling calls of a complaint regarding a service animal, members of this department should remain neutral and should be prepared to explain the ADA requirements concerning service animals to the concerned parties. Businesses are required to allow service animals to accompany their handlers into the same areas that other customers or members of the public are allowed (28 CFR 36.302).

Absent a violation of law independent of the ADA, officers should take no enforcement action beyond keeping the peace. Individuals who believe they have been discriminated against as a result of a disability should be referred to the Civil Rights Division of the U.S. Department of Justice (DOJ).
349.4.4 REMOVAL
If a service animal is not housebroken or exhibits vicious behavior, poses a direct threat to the health of others, or unreasonably disrupts or interferes with normal business operations, an officer may direct the handler to remove the animal from the premises. Barking alone is not a threat nor does a direct threat exist if the person takes prompt, effective action to control the service animal (28 CFR 35.136(b)).

Each incident must be considered individually and past incidents alone are not cause for excluding a service animal. Removal of a service animal may not be used as a reason to refuse service to an individual with disabilities. Members of this department are expected to provide all services as are reasonably available to an individual with a disability, with or without a service animal.
Off-Duty Law Enforcement Actions

350.1 PURPOSE AND SCOPE
The decision to become involved in a law enforcement action when off-duty can place an officer as well as others at great risk and must be done with careful consideration. This policy is intended to provide guidelines for officers of the Pleasant Hill Police Department with respect to taking law enforcement action while off-duty.

350.2 POLICY
Initiating law enforcement action while off-duty is generally discouraged. Officers should not attempt to initiate enforcement action when witnessing minor crimes, such as suspected intoxicated drivers, reckless driving or minor property crimes. Such incidents should be promptly reported to the appropriate law enforcement agency.

Officers are not expected to place themselves in unreasonable peril. However, any sworn member of this department who becomes aware of an incident or circumstance that he/she reasonably believes poses an imminent threat of serious bodily injury or death, or significant property damage may take reasonable action to minimize the threat.

When public safety or the prevention of major property damage requires immediate action, officers should first consider reporting and monitoring the activity and only take direct action as a last resort.

350.3 FIREARMS
Officers of this department may carry firearms while off-duty in accordance with federal regulations and department policy. All firearms and ammunition must meet guidelines as described in the department Firearms Policy. When carrying firearms while off-duty officers shall also carry their department-issued badge and identification.

Officers should refrain from carrying firearms when the consumption of alcohol is likely or when the need to carry a firearm is outweighed by safety considerations. Firearms shall not be carried by any officer who has consumed an amount of an alcoholic beverage or taken any drugs or medications or any combination thereof that would tend to adversely affect the officer’s senses or judgment.

350.4 DECISION TO INTERVENE
There is no legal requirement for off-duty officers to take law enforcement action. However, should officers decide to intervene, they must evaluate whether the action is necessary or desirable, and should take into consideration the following:

(a) The tactical disadvantage of being alone and the fact there may be multiple or hidden suspects.

(b) The inability to communicate with responding units.
Off-Duty Law Enforcement Actions

(c) The lack of equipment, such as handcuffs, OC or baton.
(d) The lack of cover.
(e) The potential for increased risk to bystanders if the off-duty officer were to intervene.
(f) Unfamiliarity with the surroundings.
(g) The potential for the off-duty officer to be misidentified by other peace officers or members of the public.

Officers should consider waiting for on-duty uniformed officers to arrive, and gather as much accurate intelligence as possible instead of immediately intervening.

350.4.1 INTERVENTION PROCEDURE
If involvement is reasonably necessary the officer should attempt to call or have someone else call 9-1-1 to request immediate assistance. The dispatcher should be informed that an off-duty officer is on-scene and should be provided a description of the officer if possible.

Whenever practicable, the officer should loudly and repeatedly identify him/herself as a Pleasant Hill Police Department officer until acknowledged. Official identification should also be displayed.

350.4.2 INCIDENTS OF PERSONAL INTEREST
Officers should refrain from handling incidents of personal interest, (e.g., family or neighbor disputes) and should remain neutral. In such circumstances officers should call the responsible agency to handle the matter.

350.4.3 PROFESSIONAL STAFF RESPONSIBILITIES
Professional Staff personnel should not become involved in any law enforcement actions while off-duty except to notify the local law enforcement authority and remain at the scene, if safe and practicable.

350.4.4 OTHER CONSIDERATIONS
When encountering a non-uniformed officer in public, uniformed officers should wait for acknowledgement by the non-uniformed officer in case he/she needs to maintain an undercover capability.

350.5 REPORTING
Any off-duty officer who engages in any law enforcement activity, regardless of jurisdiction, shall notify the Watch Commander as soon as practicable. The Watch Commander shall determine whether a report should be filed by the employee.

Officers should cooperate fully with the agency having jurisdiction in providing statements or reports as requested or as appropriate.
Gun Violence Restraining Orders

352.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines for petitioning and serving gun violence restraining orders and accounting for the firearms obtained pursuant to those orders.

352.1.1 DEFINITIONS
Definitions related to this policy include:

Gun violence restraining order - Civil restraining order prohibiting a named person from controlling, owning, purchasing, possessing, receiving, or otherwise having custody of any firearms or ammunition, including an ammunition magazine (Penal Code § 18100).

352.2 POLICY
It is the policy of the Pleasant Hill Police Department to petition and serve gun violence restraining orders in compliance with state law and to properly account for firearms and ammunition obtained by the Department pursuant to such orders.

352.3 GUN VIOLENCE RESTRAINING ORDERS
An officer who reasonably believes a person is a present danger to him/herself or another person by controlling, owning, purchasing, possessing, receiving, or otherwise having custody of a firearm may request permission from his/her supervisor to petition the court for a gun violence restraining order.

Officers petitioning the court should use the forms established by the Judicial Council (Penal Code § 18105). The petition should describe the number, types, and locations of any firearms and ammunition that the officer believes to be possessed or controlled by the person (Penal Code § 18107). The petition should also describe why less-restrictive alternatives are ineffective or inadequate for the circumstances (Penal Code § 18125; Penal Code § 18150; Penal Code § 18175).

If it is not practical under the circumstances to submit a written petition, an officer may orally request an order, and then prepare and sign a declaration under penalty of perjury that recites the oral statements provided to the judicial officer and memorialize the order of the court on the appropriate Judicial Council form (Penal Code § 18140).

352.4 SERVICE OF GUN VIOLENCE RESTRAINING ORDERS
An officer serving any gun violence restraining order shall:

(a) Verbally ask the subject of the order if he/she has any firearm, ammunition, or magazine in his/her possession or under his/her custody or control (Penal Code § 18160).

(b) Request that any firearms or ammunition be immediately surrendered and issue a receipt for the surrendered items (Penal Code § 18120).
Gun Violence Restraining Orders

(c) Take into temporary custody any firearm or other deadly weapon discovered in plain view or pursuant to consent or other lawful search (Penal Code § 18250).

(d) Inform the restrained person of any scheduled hearing regarding the order (Penal Code § 18160).

(e) Transmit the original proof of service form to the issuing court as soon as practicable but within one business day (Penal Code § 18115).

(f) As soon as practicable, but by the end of his/her shift, submit proof of service to the Support Services Supervisor for prompt entry into the California Restraining and Protective Order System (Penal Code § 18115).

The officer should also inform the restrained person that he/she is required, within 24 hours, to surrender to a law enforcement agency any other firearms and ammunition he/she owns or that are in his/her custody or control or sell them to a firearms dealer. This notification should be documented.

All firearms and ammunition collected shall be handled and booked in accordance with the Property and Evidence Policy.

352.4.1 SERVICE OF ORAL GUN VIOLENCE RESTRAINING ORDERS

If a gun violence restraining order is obtained orally, the officer shall (Penal Code § 18140):

(a) Serve the order on the restrained person in the manner outlined above, if the restrained person can reasonably be located.

(b) File a copy of the order with the court as soon as practicable after issuance.

(c) Ensure the order is provided to the Support Services Division for entry into the computer database system for protective and restraining orders maintained by the Department of Justice.

352.5 SEARCH WARRANTS

If a person who has been served with a gun violence restraining order refuses to surrender any firearm or ammunition, the officer should consider whether to seek a search warrant. If a search warrant is to be obtained, the preparation and service of the search warrant shall be done in accordance with the Warrant Service Policy. Additionally, (Penal Code § 1542.5):

(a) The officer serving the warrant shall take custody of any firearm or ammunition that is controlled, possessed or owned by the person who is the subject of the gun violence restraining order, including any discovered pursuant to the warrant, a consensual search or other lawful search.

(b) If the location being searched is jointly occupied and the firearm or ammunition is owned by a person other than the restrained person, the firearm or ammunition should not be seized if the following conditions are met:

1. The firearm or ammunition can be stored in a manner that does not allow the restrained person to have control or access.
2. There is no evidence that the owner unlawfully possesses the firearm or ammunition.

(c) If a locked gun safe belonging to someone other than the subject of a gun violence restraining order is discovered, the officer shall not search the contents of the safe unless the owner consents or there is a valid search warrant for the safe. Any search of the safe must be done in the owner’s presence.

352.6 SUPPORT SERVICES SUPERVISOR RESPONSIBILITIES
The Support Services Supervisor is responsible for ensuring:

(a) Proof of service of any gun violence restraining order served by an officer or received from the clerk of the court is entered in the computer database system for protective and restraining orders maintained by the Department of Justice within one business day of service if served by an officer, or within one business day of receipt of proof of service if served by a person other than a law enforcement officer (Penal Code § 18115).

(b) Oral orders are entered into the California Restraining and Protective Order System (Penal Code § 18140).

(c) Copies of receipts of surrendered firearms or ammunition issued by other agencies for gun violence restraining orders issued by the Department are properly maintained (Penal Code § 18120).

352.7 COURT-ORDERED FIREARMS AND AMMUNITION SURRENDERS
Authorized members shall accept firearms and ammunition from any individual who is the subject of a gun violence restraining order. The member receiving any firearm or ammunition shall:

(a) Record the individual’s name, address and telephone number.

(b) Record the serial number of the firearm.

(c) Prepare an incident report and property report.

(d) Provide a property receipt to the individual who surrendered the firearms and ammunition.

(e) Package and submit the firearms and ammunition in accordance with the Property and Evidence Policy.

352.8 RELEASE OF FIREARMS AND AMMUNITION
Firearms and ammunition that were taken into temporary custody or surrendered pursuant to a gun violence restraining order shall be returned to the restrained person upon the expiration of the order and in accordance with Penal Code § 18120 and the Property and Evidence Policy.
Chapter 4 - Patrol Operations
Patrol Function/Information Sharing

400.1 PURPOSE AND SCOPE
The purpose of this policy is to define the functions of the patrol unit of the Department to ensure intra-department cooperation and information sharing.

400.1.1 FUNCTION
Officers will generally patrol in clearly marked vehicles, patrol assigned jurisdictional areas of Pleasant Hill Police, respond to calls for assistance, act as a deterrent to crime, enforce state and local laws and respond to emergencies 24 hours per day seven days per week.

Patrol will generally provide the following services within the limits of available resources:

(a) Patrol that is directed at the prevention of criminal acts, traffic violations and collisions, the maintenance of public order, and the discovery of hazardous situations or conditions

(b) Crime prevention activities such as residential inspections, business inspections, community presentations, etc.

(c) Calls for service, both routine and emergency in nature

(d) Investigation of both criminal and non-criminal acts

(e) The apprehension of criminal offenders

(f) Community Oriented Policing and Problem Solving activities such as citizen assists and individual citizen contacts of a positive nature

(g) The sharing of information between the Patrol and other division within the Department, as well as other outside governmental agencies

(h) The application of resources to specific problems or situations within the community, which may be improved or resolved by Community Oriented Policing and problem solving strategies

(i) Traffic direction and control

400.1.2 TERRORISM
It is the goal of the Pleasant Hill Police Department to make every reasonable effort to accurately and appropriately gather and report any information that may relate to either foreign or domestic terrorism. Officers should advise a supervisor as soon as practicable of any activity believed to be terrorism related and should document such incidents with a written report or Field Interview (FI). The supervisor should ensure that all terrorism related reports and FIs are forwarded to the Investigations Supervisor in a timely fashion.
400.2 PATROL INFORMATION SHARING PROCEDURES
The following guidelines are intended to develop and maintain intra-department cooperation and information flow between the various divisions of the Pleasant Hill Police Department.

400.2.1 CRIME REPORTS
A crime report may be completed by any patrol officer who receives criminal information. The report will be processed and forwarded to the appropriate Division for retention or follow-up investigation.

400.2.2 PATROL BRIEFINGS
Patrol supervisors and other personnel are encouraged to share information as much as possible. All supervisors and/or officers will be provided an opportunity to share information at the daily patrol briefings as time permits.

400.2.3 INFORMATION CLIPBOARD
An information clipboard will be maintained in the briefing room and Dispatch and it will be available for review by all Department personnel.

The Daily Bulletin containing beat assignments and other pertinent information, e.g., missing persons, is available for review of all Department personnel in the MDS units installed in vehicles on the Department computer system.

400.2.4 BULLETIN BOARDS
A bulletin board will be kept in the [briefing] room and the Investigations Division for display of suspect information, intelligence reports and photographs. New Departmental Directives will be made available for patrol supervisors and will be discussed at [briefing]s and shift meetings. A copy of the Departmental Directive will be placed on the [briefing] room clipboard.

400.2.5 E-MAIL
Patrol Division personnel should regularly monitor their Department e-mail account for directives, information, and advisements. E-mail should be checked at least once per duty shift.

400.3 CROWDS, EVENTS AND GATHERINGS
Officers may encounter gatherings of people, including but not limited to, civil demonstrations, civic, social and business events, public displays, parades and sporting events. Officers should monitor such events as time permits in an effort to keep the peace and protect the safety and rights of those present. A patrol supervisor should be notified when it becomes reasonably foreseeable that such an event may require increased monitoring, contact or intervention.

Officers responding to an event or gathering that warrants law enforcement involvement should carefully balance the speech and association rights of those present with applicable public safety concerns before taking enforcement action. Officers are encouraged to contact organizers or responsible persons to seek voluntary compliance that may address relevant public safety/order concerns.
Officers should consider enforcement of applicable state and local laws, such as Penal Code 602.1 (obstructing or intimidating business operators), when the activity blocks the entrance or egress of a facility or location and when voluntary compliance with the law is not achieved.
Daily Bulletin

401.1 PURPOSE AND SCOPE
This policy provides instructions and information on the format, updating and distribution of the Daily Bulletin.

401.2 POLICY
The Daily Bulletin will be maintained and updated by Services Division personnel as a means of providing a ready reference on stolen vehicles, missing persons, BOLO’s, officer safety information and extra patrol requests. The Daily Bulletin will also list the Patrol Division personnel who work each shift, as well as their call sign, beat, and car assignments. It will list the Dispatcher assigned to each shift from the Services Division, as well as the Clerk Dispatcher and CSO, if any.

401.3 PROCEDURES
(a) Each Dispatcher will make all appropriate entries on their shift listing:
1. The patrol officers working that shift, including their beat assignment, vehicle driven, and the Reserve Officer riding with them, if applicable.
2. Special Information shall be entered and retained as follows:
   (a) All stolen vehicles, including cars, motorcycles, trailers, etc. Stolen vehicles shall be maintained at least 90 days, unless recovered before, and then purged.
   (b) All missing persons, including the date they were reported missing and their physical description. Missing persons shall be retained on the DB until they are located.
   (c) Any officer safety information that is brought to their attention, with the approval of a supervisor.
   (d) Any newly received Be-On-The-Lookout's (BOLO’s), with the approval of a supervisor.
   (e) Any extra patrol requests, with the approval of a supervisor.
3. It is the responsibility of the Patrol Division Watch Commanders to delete certain items as they become “stale” or no longer necessary. Dispatchers will not arbitrarily remove any of the above information from the Daily Bulletin without the express direction of a supervisor.
4. Supervisors must set an automatic purge date for officer safety messages, BOLO’s, extra patrol requests and the like when they give their approval to enter it on the DB. Otherwise, such entries shall be removed after seven (7) days.
5. The ID number or call sign of any supervisor authorizing an entry on the DB must be included at the end of the text of the message.

401.3.1 PROCESSING OF THE DAILY BULLETIN
The on-duty Dispatcher will have a copy of the DB available about 15 minutes prior to the start of each shift for the use of the oncoming watch.

The DB is not a public document, and information from it shall not be released outside of the Department except in accord with the rules of release of other police information.
Bias-Based Policing

402.1 PURPOSE AND SCOPE
This policy provides guidance to department members that affirms the Pleasant Hill Police Department’s commitment to policing that is fair and objective.

Nothing in this policy prohibits the use of specified characteristics in law enforcement activities designed to strengthen the department’s relationship with its diverse communities (e.g., cultural and ethnicity awareness training, youth programs, community group outreach, partnerships).

402.1.1 DEFINITIONS
Definitions related to this policy include:

Bias-based policing - An inappropriate reliance on characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, disability or affiliation with any non-criminal group (protected characteristics) as the basis for providing differing law enforcement service or enforcement (Penal Code § 13519.4).

402.2 POLICY
The Pleasant Hill Police Department is committed to providing law enforcement services to the community with due regard for the racial, cultural or other differences of those served. It is the policy of this department to provide law enforcement services and to enforce the law equally, fairly, objectively and without discrimination toward any individual or group.

402.3 RACIAL OR BIAS-BASED PROFILING PROHIBITED
Racial or bias-based profiling is strictly prohibited. However, nothing in this policy is intended to prohibit an officer from considering factors such as race or ethnicity in combination with other legitimate factors to establish reasonable suspicion or probable cause (e.g., suspect description is limited to a specific race or group).

402.4 BIAS-BASED POLICING PROHIBITED
Bias-based policing is strictly prohibited.

However, nothing in this policy is intended to prohibit an officer from considering protected characteristics in combination with credible, timely and distinct information connecting a person or people of a specific characteristic to a specific unlawful incident, or to specific unlawful incidents, specific criminal patterns or specific schemes.

402.5 REPORTING TO CALIFORNIA DEPARTMENT OF JUSTICE
The Support Services Supervisor or the authorized designee shall ensure that all data required by the Department of Justice (DOJ) regarding complaints of racial bias against officers is collected and reported annually to DOJ (Penal Code § 13012; Penal Code § 13020).
402.6 TRAINING
Training on racial or bias-based profiling and review of this policy should be conducted as directed by the Professional Standards Division.

(a) All sworn members of this department will be scheduled to attend Peace Officer Standards and Training (POST)-approved training on the subject of racial or bias-based profiling.

(b) Pending participation in such POST-approved training and at all times, all members of this department are encouraged to familiarize themselves with and consider racial and cultural differences among members of this community.

(c) Each sworn member of this department who received initial racial or bias-based profiling training will thereafter be required to complete an approved refresher course every five years, or sooner if deemed necessary, in order to keep current with changing racial, identity and cultural trends (Penal Code § 13519.4(i))
Field Interrogation Cards

403.1 PURPOSE AND SCOPE
This Policy establishes the proper procedures for handling Field Interrogation (FI) cards submitted to this Division.

403.2 POLICY
Field Interrogation cards submitted by Department employees shall be indexed into the RMS system by Services Division personnel or submitted via computer.

403.3 PROCEDURES
(a) Each card (or group of cards) shall be assigned an Event number.
(b) Event numbers should be assigned at the time the FI is written.
(c) If no other classification is appropriate FIED shall be the classification.
(d) FI cards shall be indexed into the RMS system with complete alpha and vehicle information.
(e) FI cards will be routed to the Investigations Division. After Investigator review, the cards will be stored in the Services Division.

403.3.1 STORAGE
The actual FI card shall be stored in a file in the Services Division for a minimum of two years (§ 34090 Government Code)

403.3.2 PURGING
FI Cards shall only be purged upon the direct instructions of a Division supervisor and in accordance with the City of Pleasant Hill Records Retention Schedule.
Briefing & Training

404.1 PURPOSE AND SCOPE
Briefing training is generally conducted at the beginning of the officer’s assigned shift. Briefing provides an opportunity for important exchange between employees and supervisors. A supervisor generally will conduct Briefing; however officers may conduct Briefing for training purposes with supervisor approval.

Briefing should accomplish, at a minimum, the following basic tasks:

(a) Briefing officers with information regarding daily patrol activity, with particular attention given to unusual situations and changes in the status of wanted persons, stolen vehicles, and major investigations

(b) Notifying officers of changes in schedules and assignments

(c) Notifying officers of new Department Orders or changes in Department Orders

(d) Reviewing recent incidents for training purposes

(e) Providing training on a variety of subjects

404.2 PREPARATION OF MATERIALS
The supervisor conducting Briefing is responsible for preparation of the materials necessary for a constructive briefing. Supervisors may delegate this responsibility to a subordinate officer in his or her absence or for training purposes.
Evidence Collection/Shoplifting Cases

405.1 PURPOSE AND SCOPE
This policy will provide direction for Patrol Division officers on the types of evidence which must be collected when shoplifters have been arrested by store security officers.

405.2 PROCEDURE
Patrol Division officers who have arrived at a retail store in which suspects are in custody by store security officers for shoplifting crimes may inventory and photograph the stolen property, in lieu of seizing it as evidence, and allow the store to retain the property or return it to stock. This provision applies to the following crimes:

§ 488 Penal Code
§ 459 Penal Code
§ 487 Penal Code

This also applies to suspects in custody who can be charged with a 666 PC violation.

Officers may also choose to book the stolen property from these crimes as evidence into the property room at the police station.

Officers must collect and book as evidence into the Department property room any surveillance videotape which depicts the crime (and which the officer can obtain from the merchant), any instrument used to commit the crime, e.g., booster bag, or any other item which reasonably should be collected as evidence.
Crime and Disaster Scene Integrity

406.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidance in handling a major crime or disaster.

406.2 POLICY
It is the policy of the Pleasant Hill Police Department to secure crime or disaster scenes so that evidence is preserved, and to identify and mitigate the dangers associated with a major crime or disaster scene for the safety of the community and those required to enter or work near the scene.

406.3 SCENE RESPONSIBILITY
The first officer at the scene of a crime or major incident is generally responsible for the immediate safety of the public and preservation of the scene. Officers shall also consider officer safety and the safety of those persons entering or exiting the area, including those rendering medical aid to any injured parties. Once an officer has assumed or been assigned to maintain the integrity and security of the crime or disaster scene, the officer shall maintain the crime or disaster scene until he/she is properly relieved by a supervisor or other designated person.

406.4 FIRST RESPONDER CONSIDERATIONS
The following list generally describes the first responder’s function at a crime or disaster scene. This list is not intended to be all-inclusive, is not necessarily in order and may be altered according to the demands of each situation:

(a) Broadcast emergency information, including requests for additional assistance and resources.
(b) Provide for the general safety of those within the immediate area by mitigating, reducing or eliminating threats or dangers.
(c) Locate or identify suspects and determine whether dangerous suspects are still within the area.
(d) Provide first aid to injured parties if it can be done safely.
(e) Evacuate the location safely as required or appropriate.
(f) Secure the inner perimeter.
(g) Protect items of apparent evidentiary value.
(h) Secure an outer perimeter.
(i) Identify potential witnesses.
(j) Start a chronological log noting critical times and personnel allowed access.
406.5 SEARCHES
Officers arriving at crime or disaster scenes are often faced with the immediate need to search for and render aid to victims, and to determine if suspects are present and continue to pose a threat. Once officers are satisfied that no additional suspects are present and/or there are no injured persons to be treated, those exigent circumstances will likely no longer exist. Officers should thereafter secure the scene and conduct no further search until additional or alternate authority for the search is obtained, such as consent or a search warrant.

406.5.1 CONSENT
When possible, officers should seek written consent to search from authorized individuals. However, in the case of serious crimes or major investigations, it may be prudent to also obtain a search warrant. Consent as an additional authorization may be sought, even in cases where a search warrant has been granted.

406.6 EXECUTION OF HEALTH ORDERS
Any sworn member of this department is authorized to enforce all orders of the local health officer that have been issued for the purpose of preventing the spread of any contagious, infectious or communicable disease (Health and Safety Code § 120155).
Party Response

407.1 PURPOSE AND SCOPE
This policy will provide direction for Patrol Division personnel on the response to loud or unruly events, most often parties.

407.2 BACKGROUND
The Pleasant Hill Municipal Code allows for the imposition of fines or fees against the person or persons responsible for a party, gathering, or event which results in a police response and then a second police response because the responsible person or persons failed to carry out the lawful order of a police officer to stop a person or persons in attendance at the party, gathering, or event from doing the following:

(a) Fighting
(b) Malicious and willful disturbance of another through the loud and unreasonable noise
(c) The use of offensive words in a manner likely to produce an immediate violent reaction
(d) Rioting or using force or violence
(e) Committing unlawful acts
(f) Stop the party, gathering, or event or disperse the crowd.

407.3 PROCEDURE
Upon the first response to the party, gathering, or event the primary officer will locate and provide the party host or person responsible with the PHPD "Party Card". The officer will inform the person the failure to abate the problem(s) at the party or event and subsequent police response may result in the imposition of a fine, in addition to any criminal charges.

Upon a subsequent response to the party, officers will abate problems in accordance with the law. A reasonable person standard will be used in determining whether or not the imposition of a fine will be sought.

Watch Commander approval is necessary to pursue the imposition of fines. Watch Commanders should respond to the event if possible.

407.4 REPORTING
A case report using the appropriate criminal code classification or PHOO will be submitted by the responding officer if fines are to be imposed. The report narrative should include the following: size of the event, reason(s) for the police response, conditions observed by responding officers, any witness statements, identification and notification of the responsible persons, and an accounting of all police resources, including time spent on scene, necessary to quell or abate the problem.
Party Response

The report and a request for imposition of a fine will be forwarded by the Watch Commander to the Patrol Division Commander.

The Patrol Division Commander or designee will coordinate with the City Finance Department the imposition of fines.
Vacation House Checks

408.1 PURPOSE AND SCOPE
This policy establishes a policy regarding requests by members of the community for periodic security checks of their residence while they are away on vacation.

408.2 POLICY
It is the policy of this Department that requests from residents of this City for periodic security checks of their residence by the Police Department, while they are away on vacation, will be accepted and forwarded to the coordinator of the Volunteer Program for checks to be accomplished by volunteers.

408.3 PROCEDURE
Whenever a call is received from a resident of this City requesting a vacation house check for a period of time exceeding five (5) days:

   (a) Initiate an Event entry and enter the required information, including the dates of departure and return.

Vacation house checks may be denied due to insufficient staffing or unreasonable repeated requests. Denials will require supervisory approval.
Ride-Along Policy

409.1 PURPOSE AND SCOPE
The Ride-Along Program provides an opportunity for citizens to experience the law enforcement function first hand. This policy provides the requirements, approval process, and hours of operation for the Ride-Along Program.

409.1.1 ELIGIBILITY
The Pleasant Hill Police Department Ride-Along Program is offered to residents, students and those employed within the City. Every attempt will be made to accommodate interested persons however any applicant may be disqualified without cause.

The following factors may be considered in disqualifying an applicant and are not limited to:

- Being under 15 years of age
- Prior criminal history
- Pending criminal action
- Pending lawsuit against the Department
- Denial by any supervisor

409.1.2 AVAILABILITY
The Ride-Along Program is available on most days of the week and times. Investigations Division personnel will schedule the majority of ride alongs in four hour blocks after 0800 hrs and prior to 2200 hrs. Exceptions may be made as approved by the Chief of Police, Division Commander, Watch Commander, or Training Manager.

409.2 PROCEDURE TO REQUEST A RIDE-ALONG
Generally, ride-along requests will be scheduled by the Investigations Division clerical personnel. The participant will complete a ride-along waiver form. Information requested will include a valid ID or California driver's license, address, and telephone number. If the participant is under 18 years of age, a parent/guardian must be present to complete the Ride-Along Form.

The Investigations Division clerical personnel will schedule a date and forward information to the Watch Commander as soon as possible for his/her scheduling considerations.

If the ride-along is denied after the request has been made, a representative of the Department will contact the applicant and advise him/her of the denial.

409.2.1 PROGRAM REQUIREMENTS
Upon approval, civilian ride-alongs will be allowed to ride no more than once every six months. An exception would apply to the following: Explorers, Volunteers, Chaplains, Reserves, police applicants, and all others with approval of the Watch Commander.
Ride-Along Policy

Watch Commanders may approve ride alongs for family members or friends of PHPD officers but these ride alongs should also generally be limited to once every six months and the minimum age of the rider will be 15 years.

All ride alongs, including those scheduled or approved by Watch Commanders, will not commence without the ride along waiver being completed by the rider (and parent/guardian) if necessary. This includes riders who are the family members of Department employees.

An effort will be made to ensure that no more than one citizen will participate in a ride-along during any given time period. Normally, no more than one ride-along will be allowed in the officer's vehicle at a given time.

409.2.2 SUITABLE ATTIRE
Any person approved to ride along is required to be suitably dressed in collared shirt, blouse or jacket, slacks and shoes. Sandals, T-shirts, tank tops, shorts and ripped or torn blue jeans are not permitted. Hats and ball caps will not be worn in the police vehicle. The Watch Commander or field supervisor may refuse a ride along to anyone not properly dressed.

409.2.3 PEACE OFFICER RIDE-ALONGS
Off-duty members of this department or any other law enforcement agency will not be permitted to ride-along with on-duty officers without the expressed consent of the Watch Commander. In the event that such a ride-along is permitted, the off-duty employee shall not be considered on-duty and shall not represent themselves as a peace officer or participate in any law enforcement activity except as emergency circumstances may require.

409.2.4 RIDE-ALONG CRIMINAL HISTORY CHECK
All Ride-along applicants are subject to a criminal history check. The criminal history check may include a local records check and a Department of Justice Automated Criminal History System check through CLETS prior to their approval as a ride-along with a law enforcement officer (provided that the ride-along is not an employee of the Pleasant Hill Police Department) (CLETS Policies, Practices and Procedures Manual § 1.6.1.F.2.).

409.3 CONTROL OF RIDE-ALONG
The assigned employee shall maintain control over the ride-along at all times and instruct him/her in the conditions that necessarily limit their participation. These instructions should include:

(a) The ride-along will follow the directions of the officer
(b) The ride-along will not become involved in any investigation, handling of evidence, discussions with victims or suspects, or handling any police equipment
(c) The ride-along may terminate the ride at any time and the officer may return the observer to their home or to the station if the ride-along interferes with the performance of the officer’s duties
(d) Ride-alongs may be allowed to continue riding during the transportation and booking process provided this does not jeopardize their safety.

(e) Officers will not allow any ride-alongs to be present in any residences or situations that would jeopardize their safety or cause undue stress or embarrassment to a victim or any other citizen.

(f) Under no circumstance shall a civilian ride along be permitted to enter a private residence with an officer without the expressed consent of the resident or other authorized person.
Hazardous Material Response

410.1 PURPOSE AND SCOPE
Hazardous materials present a potential harm to employees resulting from their exposure. To comply with Title 8, California Code of Regulations, § 5194, the following is to be the policy of this department.

410.1.1 HAZARDOUS MATERIAL DEFINED
A hazardous material is a substance which by its nature, containment and reactivity, has the capability of inflicting harm during exposure; characterized as being toxic, corrosive, flammable, reactive, an irritant or strong sensitizer and thereby posing a threat to health when improperly managed.

410.2 HAZARDOUS MATERIAL RESPONSE
Employees may encounter situations involving suspected hazardous materials, such as at the scene of a traffic accident, chemical spill or fire. When employees come into contact with a suspected hazardous material, certain steps should be taken to protect themselves and citizens.

The following steps should be considered at any scene involving suspected hazardous materials:

(a) Attempt to identify the type of hazardous substance. (Identification can be determined by placard, driver’s manifest or statements from the person transporting).

(b) Notify the Fire Department.

(c) Provide first-aid for injured parties if it can be done safely and without contamination.

(d) Begin evacuation of the immediate area and surrounding areas, depending on the substance. Voluntary evacuation should be considered; however, depending on the substance, mandatory evacuation may be necessary.

(e) Notify the local health authority. Such notification is mandatory when a spilled or released item is a pesticide (Health and Safety Code § 105215).

(f) Notify the Department of Toxic Substances Control. This is mandatory when an officer comes in contact with, or is aware of, the presence of a suspected hazardous substance at a site where an illegal controlled substance is or was manufactured (Health and Safety § 25354.5).

410.3 REPORTING EXPOSURE(S)
Department personnel who believe that they have been exposed to a hazardous material shall immediately report the exposure to a supervisor. Each exposure shall be documented by the employee in an employee memorandum that shall be forwarded via chain of command to the Chief of Police. Should the affected employee be unable to document the exposure for any reason, it shall be the responsibility of the notified supervisor to complete the memorandum.
Hazardous Material Response

Injury or illness caused or believed to be caused from exposure to hazardous materials shall be reported the same as any other on-duty injury or illness in addition to a crime report or incident report.

410.3.1 SUPERVISOR RESPONSIBILITY
When a supervisor has been informed that an employee has been exposed to a hazardous material, he/she shall ensure that immediate medical treatment is obtained and appropriate action is taken to lessen the exposure.

Supervisors will facilitate providing necessary safety equipment to employees. Safety items not maintained by the Department will be sought through the Contra Costa Consolidated Fire Protection District or other agency.
211 PC Alarm Response

411.1 PURPOSE AND SCOPE
This policy is intended to provide general guidelines to standardize the response of Patrol Division personnel to robbery (§ 211 Penal Code) alarms. These guidelines are intended to provide the maximum safety to the public while still enabling the officer the maximum potential for apprehension of the suspect(s).

411.2 PROCEDURE
The following procedures should be employed by all Patrol Division personnel:

(a) The patrol units nearest the business whose robbery alarm has been activated will respond directly to the location. A perimeter should be established, if possible. Officers should attempt to stay out of view of the occupants inside the business. Watch Commanders are responsible for responses to robbery alarms but may monitor responses in lieu of direct intervention. Depending upon the configuration of the business, two or more officers will usually respond to the alarm.

(b) After officers have arrived, a responding officer will request the dispatcher to make telephone contact with the business to determine whether or not a robbery has occurred or is still in progress.

(c) Officers should not enter the establishment until an employee of the business has come outside and confirmed that either the alarm was false or the suspects have already left the scene. The dispatcher should obtain the name and description of the employee and provide this information to officers.

(d) In the event the suspects have already fled, the doors of the business should have been locked by an employee, at the direction of the dispatcher, to prevent the suspect(s) from returning or witnesses from leaving.

(e) If an employee of the business does not exit the building to contact an officer, a robbery may be in progress.
Hostages and Barricaded Suspects

412.1 PURPOSE AND SCOPE
Hostage situations and barricaded suspects present unique problems for agencies. The protection of the public and law enforcement personnel is of the utmost importance. Proper planning and training will tend to reduce the risks involved with these incidents.

412.1.1 DEFINITIONS
Hostage - A person held by one party in a conflict as security so that specified terms will be met by the opposing party.

Barricaded Suspect - A person who takes a position of cover or concealment or maintains a position in a structure and who resists capture by law enforcement personnel. A barricaded suspect may be armed or suspected of being armed.
Hostages and Barricaded Suspects

412.4 REPORTING
Unless otherwise relieved by a supervisor, the initial officer at the scene is responsible for completion of reports or coordination of reports for the hostage/barricade incident.
Code 666 Policy

413.1 PURPOSE AND SCOPE
This policy provides direction to the Department in a coordinated effort in the county by all law enforcement agencies toward the apprehension of suspects fleeing by vehicle from major crimes.

413.2 POLICY
(a) Upon proper notification, a number of pre-designated road and intersection observation points throughout the county will be taken by participating agencies to cover probable escape routes. This procedure is called a Code 666.

(b) The Department is responsible for controlling two (2) observation points when notified of a Code 666.

(c) Nothing in this policy is intended to prevent the Watch Commander from making a decision to cover only one (1) or no assigned positions in the event of an emergency situation that will not allow such use of personnel.

(d) Department Watch Commanders may authorize a Code 666 pursuant to the provisions of this policy.

413.3 PROCEDURES
(a) Through the use of the California Law Enforcement Radio System (CLERS), any law enforcement agency in the county may alert other agencies within the county to felony crimes that have just occurred, or to persons/incidents representing a hazard to police officers.

(b) Such broadcasts may be made based on the following criteria:
   1. Code 666: All "Person Felonies" which have occurred within 15 minutes of the broadcast and there is a specific reason to believe that the suspect(s) have fled in a vehicle.
   2. Priority 1 broadcasts may be designated as "All County" or as "Regional" (i.e., East, Central, West) as determined by the issuing agency Watch Commander.
   3. BOLO: For other Felony crimes or Officer Safety incidents which have occurred beyond the 15-minute time period or for which specific vehicle information is not available.
   4. All Code 666 broadcasts must include complete or exceptionally distinctive vehicle description information.
   5. Approval by the Watch Commander or Supervisor of the originating agency is required for all such broadcasts.
413.4 IMPLEMENTATION OF THE BROADCAST
   (a) Once the decision has been made to use the Code 666 plan, the Department will broadcast on the CLERS radio as soon as possible after an incident has occurred.
   (b) In addition to suspect and/or vehicle descriptions, the broadcast should include time and location of the incident, possible direction of travel of the suspects, information on weapons involved, and information on potential hostages.
   (c) Code 666 broadcasts may be made with partial information as long as updates follow as soon as possible.
   (d) If sufficient information cannot be obtained, the broadcast should be canceled.

413.5 AGENCY RESPONSE
   (a) When the Department receives a Code 666 broadcast, it shall cover their assigned observation posts with available units.
   (b) Posts shall be maintained for a maximum of 20 minutes unless canceled sooner by the originating agency.
   (c) Department observation locations are:
       1. Position 1: Taylor Boulevard at Pleasant Hill Road.
       2. Position 2: Highway 242 at I-680, North or South, as appropriate.

413.5.1 SUSPECT APPREHENSION
   (a) Because Code 666 broadcasts result from felony criminal violations, there is a significant risk that suspects who are the object of such broadcasts will use the vehicle they are in to avoid apprehension by approaching officers.
   (b) Consequently, a pursuit may initiate when an officer attempts to apprehend a suspect as a result of a Code 666 broadcast and the involved vehicle fails to comply with the law requiring it to stop.
   (c) An officer involved in a pursuit as a result of a Code 666 broadcast shall comply with Department policy relating to vehicle pursuits.
   (d) If a suspect is apprehended as a result of this plan, the originating agency shall immediately respond to take custody of the suspect as well as all evidence and property.
   (e) If a more serious crime has been committed by the suspect in the jurisdiction of the apprehending agency, the Watch Commanders or Supervisors of the originating and apprehending agencies should negotiate custody, investigative responsibility and scene processing.
(f) In the event an officer-involved injury or death is associated with a Code 666 apprehension, venue shall be established as designated in the Contra Costa County Officer Involved Fatal Incident Protocol.

413.5.2 CANCELLATION

(a) The originating agency is responsible for canceling any Code 666 broadcast when appropriate and no later than 20 minutes after the time of the original broadcast.

(b) After 20 minutes, all Code 666 broadcasts will automatically cancel unless an extension is requested by the originating agency's Watch Commander.

(c) Information on whether or not the suspect(s) and vehicle are still outstanding should be included in the cancellation of the broadcast.

413.5.3 UNASSIGNED UNIT RESPONSIBILITIES

(a) Those patrol units not specifically assigned to an observation post in the Code 666 plan shall continue their normally assigned patrol duties, being cognizant of the wanted vehicle and observing the major traffic arteries through their areas.

413.5.4 RECORDING AND ASSESSMENT OF CODE 666 AND BOLO BROADCASTS

(a) The receipt of a Code 666 or BOLO broadcast by Dispatch from an outside agency will be recorded via the CAD system as a BOLO. Dispatchers will verbally notify officers of the Code 666 or BOLO and send the CAD event or information to vehicles via the MDS system.

(b) Each agency will indicate in the call/incident the level of action taken, or that no action was taken, and includes the authority (Watch Commander or Supervisor) for the action taken.

(c) PHPD initiated Code 666 and BOLO broadcasts will be noted by the Dispatcher in the same CAD event which led to the initiation of the broadcast.
Response to Bomb Calls

414.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines to assist members of the Pleasant Hill Police Department in their initial response to incidents involving explosives, explosive devices, explosion/bombing incidents or threats of such incidents. Under no circumstances should these guidelines be interpreted as compromising the safety of first responders or the public. When confronted with an incident involving explosives, safety should always be the primary consideration.
414.6.3 NOTIFICATIONS
When an explosion has occurred, the following people should be notified as appropriate:

- Fire department
- Bomb squad
- Additional department personnel, such as investigators and forensic services
- Field supervisor
- Watch Commander
- Other law enforcement agencies, including local, state or federal agencies, such as the FBI and the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF)
- Other government agencies, as appropriate
Extra Patrol Requests

415.1 PURPOSE AND SCOPE
This policy provides personnel with instructions in the acceptance and handling of extra patrol requests from residents or businesspersons within the community.

415.2 POLICY
It is the policy of this Department that extra patrol requests must be approved by the on-duty Watch Commander in the Patrol Division. Once such approval has been given, Services Division will ensure that the extra patrol request and information is placed on the Daily Bulletin for seven days or until extended or cancelled by a Watch Commander.

415.3 PROCEDURES
Extra patrol requests received by any personnel shall be referred to the Watch Commander or other supervisor. Those approved by the Watch Commander or other supervisor will be forwarded to the Dispatcher for inclusion on the Daily Bulletin.

The extra patrol request will then be entered on the Daily Bulletin by the Dispatcher.
Mental Illness Commitments

416.1 PURPOSE AND SCOPE
This procedure describes an officer’s duties when a person is to be committed to a mental health unit pursuant to Welfare and Institutions Code § 5150. The commitment of a person under § 5150 does not constitute an arrest. If an officer believes that a person falls within the provisions of Welfare and Institutions Code § 5150, he/she shall transport that person to the designated facility for evaluation and commitment.

416.2 AUTHORITY
Pursuant to Welfare and Institution Code § 5150 when any person, as a result of mental disorder, is a danger to others, or to himself or herself, or gravely disabled, a peace officer, or other individual authorized by statute may, upon probable cause, take, or cause to be taken, the person into custody and place him or her in a facility designated by the county and approved by the State Department of Mental Health as a facility for 72-hour treatment and evaluation.

Such facility shall require an application in writing stating the circumstances under which the person’s condition was called to the attention of the officer, or other individual authorized by statute has probable cause to believe that the person is, as a result of mental disorder, a danger to others, or to himself or herself, or gravely disabled. If the probable cause is based on the statement of a person other than the officer, or other individual authorized by statute, such person shall be informed that they may be liable in a civil action for intentionally giving a statement which he or she knows to be false.

416.3 OFFICER CONSIDERATIONS AND RESPONSIBILITIES
Any officer responding to or handling a call involving a suspected mentally disabled individual or an involuntary mental illness commitment should consider utilizing the following as time and circumstances reasonably permit:

(a) Any available information that might assist in determining the cause and nature of the mental illness or developmental disability.

(b) Conflict resolution and de-escalation techniques.

(c) Language that is appropriate for interacting with a mentally disabled person.

(d) If circumstances permit, alternatives to deadly force.

(e) Any available community resources that can assist in dealing with a mentally disabled individual.

416.3.1 TRANSPORTATION
All patients will be transported by ambulance personnel.
416.3.2 RESTRAINTS
If the patient is violent or potentially violent, the officer will notify the ambulance staff of this concern. The staff member in charge will have discretion as to whether soft-restraints will be used. If these restraints are desired, the officer will wait while they are being applied to help provide physical control of the patient, if needed.

416.3.3 MENTAL HEALTH DOCUMENTATION
The officer will complete an Application For 72-Hour Detention for Evaluation and Treatment form (MH-302) and provide it to the ambulance staff. The officer will retain a copy of the 72-hour evaluation for inclusion in the case report. The officer shall also provide a verbal summary to the ambulance staff member regarding the circumstances leading to the involuntary detention.

The police report may be a synopsis report with the 5150 WI form attached. The PHPD report classification is AIDX. In the event weapons are seized, a full report is required.

416.4 MENTALLY ILL PERSON CHARGED WITH A CRIME
When practical, any person charged with a crime who also appears to be mentally ill shall be booked at the Pleasant Hill Police Department before being transported to the authorized facility. If the person has injuries or some other medical condition, he/she may be taken directly to the hospital with the approval of a supervisor.

416.5 CONFISCATION OF FIREARMS AND OTHER WEAPONS
Whenever a person has been detained or apprehended for examination pursuant to Welfare and Institutions Code § 5150, the handling officer should seek to determine if the person owns or has access to any firearm or other deadly weapon. Any such firearm or other deadly weapon should be confiscated in a manner consistent with current search and seizure law (Welfare and Institutions Code § 8102(a)).

Officers are cautioned that a search warrant may be needed before entering a residence or other place to search unless lawful, warrantless entry has already been made (e.g., exigent circumstances, valid consent) (Penal Code § 1524).

For purposes of this section, deadly weapon means any weapon, the possession of which or carrying while concealed, is prohibited by Penal Code § 19100; 21310.

The officer taking custody of any firearm or other deadly weapon shall issue the individual possessing such weapon a receipt, fully describing the weapon (including any serial number) and indicating the location where the weapon may be recovered, along with any applicable time limit for recovery (Penal Code § 33800).

The handling officer shall further advise the person of the below described procedure described below for the return of any firearm or other deadly weapon which that has been confiscated (Welfare and Institutions Code § 8102(a)). For purposes of this section deadly weapon means any weapon that the possession of or carrying while concealed is prohibited by Penal Code § 19100; 21310.
416.5.1 RETURN OF CONFISCATED FIREARMS AND WEAPONS

(a) Whenever the handling officer has cause to believe that the future return of any confiscated weapon(s) might endanger the person or others, the officer shall detail those facts and circumstances in a report. The report shall be forwarded to the Investigations which shall be responsible for initiating a petition to the superior court for a hearing in accordance with Welfare and Institutions Code § 8102(b), to determine whether or not the weapon(s) will be returned.

(b) The petition to the Superior Court shall be initiated within 30 days of the release of the individual from whom such weapon(s) have been confiscated unless the Department makes an ex parte application to the court to extend the time to file such a petition, up to a maximum of 60 days. At the time any such petition is initiated, the Department shall send written notice to the individual informing him or her of the right to a hearing on the issue and that he or she has 30 days to confirm with the court clerk any desire for a hearing and that the failure to do so will result in the forfeiture of any confiscated weapon(s).

(c) If no petition is initiated within the above period, the Department shall make the weapon(s) available for return in accordance with subsection (d) below. If the person does not confirm a desire for a hearing within the prescribed 30 days, the Department may file a petition for an order of default.

(d) Under no circumstances shall any firearm be returned to any individual unless and until such person presents valid identification and written notification from the California Department of Justice which conforms to the provisions of Penal Code § 33865.

(e) In no case in which a firearm or other deadly weapon is not retained as evidence shall the Department be required to retain such firearms or other deadly weapon longer than 180 days after notice has been provided to the owner that such firearm or other deadly weapon is available for return. At the expiration of such period, the firearm or other deadly weapon may be processed for disposal in accordance with applicable law (Penal Code § 33875).

416.6 TRAINING

As a part of advanced officer training programs, this agency will endeavor to include POST approved training on interaction with mentally disabled persons as provided by Penal Code § 13515.25.

416.7 SELF COMMITTAL

All persons meeting the criteria for a 5150 WI detention will be detained per the direction of an officer in lieu of a self committal. In other words, an officer will complete the detention form and report as outlined above; persons meeting the criteria for a 5150 WI detention will not be allowed to commit or detain themselves in lieu of action by the Department.
Cite and Release Policy

417.1 PURPOSE AND SCOPE
Penal Code § 853.6 requires law enforcement agencies to use citation release procedures in lieu of arrest for misdemeanor offenses with certain exceptions. The State Legislature has shown the intent to release all persons on misdemeanor citations, if qualified for such release.

417.2 STATUTORY REQUIREMENTS
Citation releases are authorized by Penal Code § 853.6. Release by citation formisdemeanor offenses can be accomplished in two separate ways:

(a) A field release is when the violator is released in the field without being transported to a jail facility.

(b) A jail release is when a violator is released after being transported to the jail and booked.

417.2.1 DISCRETION TO ARREST
While this department recognizes the statutory power of peace officers to make arrests throughout the state, officers are encouraged to use sound discretion in the enforcement of the law. On-duty arrests will not generally be made outside the jurisdiction of this department except in cases of hot and/or fresh pursuit, while following up on crimes committed within the City, or while assisting another agency. On-duty officers who discover criminal activity outside the jurisdiction of the City should, when circumstances permit, consider contacting the agency having primary jurisdiction before attempting an arrest.

Off-duty officers observing criminal activity should generally take enforcement action only when it reasonably appears that imminent risk to life or property exists and the reasonable opportunity does not exist to contact the law enforcement agency with primary jurisdiction. In such situations the involved officer shall clearly identify him/herself as a police officer.

417.3 RELEASE BY CITATION
The following procedure will be followed to comply with this law.

417.3.1 FIELD CITATIONS
In most cases an adult arrested for a misdemeanor offense may be released in the field on a citation in lieu of physical arrest when booking and fingerprinting is not practicable or immediately required provided the individual can be satisfactorily identified, there is no outstanding arrest warrant for the individual and none of the below described disqualifying circumstances are present (Penal Code § 853.6; Penal Code § 1270.1). In such cases the arresting officer should check the booking required box on the citation form to indicate that the person will be photographed and fingerprinted at a later time when ordered by the court.
When a booking photo or fingerprints are needed for the furtherance of any investigation, the person should be released on citation after booking instead of on a field citation.

417.3.2 JAIL RELEASE

In certain cases, it may be impractical to release a person arrested for misdemeanor offenses in the field. The person arrested may instead be released after booking at the jail, with Watch Commander approval. Part I crimes of violence, crimes involving weapons, resisting arrest, and false identity will normally require booking at the Temporary Holding Facility.

Any person arrested for a misdemeanor offense shall be released on his/her written promise to appear after the booking procedure is completed, unless disqualified for reasons listed in this Policy Manual.

417.4 NON-RELEASE

417.4.1 DISQUALIFYING CIRCUMSTANCES

An adult arrested on any of the following disqualifying charges shall not be released on citation and shall be transported to the appropriate detention facility or held for court or bail after booking:

Disqualifying offenses include (Penal Code § 1270.1):

(a) Misdemeanor domestic battery (Penal Code § 243(e)(1)).
(b) Violation of a protective order and the arrested person has made threats, used violence or has gone to the protected person’s workplace or residence (Penal Code § 273.6).
(c) Stalking (Penal Code § 646.9).
(d) Misdemeanor violations of a protective order relating to domestic violence if there is a reasonable likelihood the offense will continue or the safety of the individuals or property would be endangered (Penal Code § 853.6).

417.4.2 REASONS FOR NON-RELEASE

Reasons for non-release include (Penal Code § 853.6(i)):

(a) The person arrested is so intoxicated that he/she could be a danger to him/herself or to others. Release may occur as soon as this condition no longer exists.
(b) The person arrested requires medical examination or medical care or is otherwise unable to care for his/her own safety
1. The Pleasant Hill Police Department shall not release an arrestee from custody for the purpose of allowing that person to seek medical care at a hospital, and then immediately re-arrest the same individual upon discharge from the hospital, unless the hospital determines this action will enable it to bill and collect from a third-party payment source (Penal Code § 4011.10).
(c) The person is arrested for one or more of the offenses listed in Vehicle Code §§ 40302, 40303 and 40305.
Pleasant Hill Police Department
Pleasant Hill PD Policy Manual

Cite and Release Policy

(d) There are one or more outstanding arrest warrants for the person (see Misdemeanor Warrants elsewhere in this policy).

(e) The person could not provide satisfactory evidence of personal identification.
   1. If a person released on citation does not have satisfactory identification in his/her possession, a right thumbprint or fingerprint should be obtained on the citation form.

(f) The prosecution of the offense or offenses for which the person was arrested or the prosecution of any other offense or offenses would be jeopardized by the immediate release of the person arrested.

(g) There is a reasonable likelihood that the offense or offenses would continue or resume, or that the safety of persons or property would be imminently endangered by the release of the person arrested.

(h) The person arrested demands to be taken before a magistrate or has refused to sign the notice to appear.

(i) There is reason to believe that the person would not appear at the time and place specified in the notice to appear. The basis for this determination shall be specifically documented. Reasons may include
   1. Previous failure to appear is on record
   2. The person lacks ties to the area, such as a residence, job or family
   3. Unusual circumstances lead the officer responsible for the release of prisoners to conclude that the suspect should be held for further investigation

417.4.3 OTHER REASONS FOR NON-RELEASE
If the person arrested is not released for one or more of the reasons specified in Policy Manual § 420.4, the officer shall state specifically on the booking form the reason for non-release. Such reasons for non-release may include:

(a) Previous failure to appear is on record
(b) The person lacks ties to the area, such as a residence, job, or family
(c) Unusual circumstances lead the officer responsible for the release of prisoners to conclude that the suspect should be held for further investigation
(d) Certain offenses such as domestic violence restraining order violations specify by statute the defendant shall be booked unless there are valid reasons for the citation release.

417.5 CITATION RELEASE ON MISDEMEANOR WARRANTS
Penal Code § 827.1 allows the release by citation of a person designated in a warrant of arrest unless one of the following conditions exist:

(a) The misdemeanor cited in the warrant involves violence
(b) The misdemeanor cited in the warrant involves a firearm
(c) The misdemeanor cited in the warrant involves resisting arrest
(d) The misdemeanor cited in the warrant involves giving false information to a peace officer
(e) The person arrested is a danger to himself or herself or others due to intoxication or being under the influence of drugs or narcotics
(f) The person requires medical examination or medical care or was otherwise unable to care for his or her own safety
(g) The person has other ineligible charges pending against him/her
(h) There is reasonable likelihood that the offense or offenses would continue or resume, or that the safety of persons or property would be immediately endangered by the release of the person
(i) The person refuses to sign the notice to appear
(j) The person cannot provide satisfactory evidence of personal identification
(k) The warrant of arrest indicates that the person is not eligible to be released on a notice to appear

Release under this section shall be done in accordance with the provisions of this section.

417.5.1 VEHICLE CODE ARREST WARRANTS
Misdemeanor Vehicle Code arrest warrants may be cited in the field.

The requirements of Vehicle Code section 40304.5 VC will be followed by officers when encountering persons for whom Vehicle Code arrest warrants have been issued

417.5.2 ARREST NUMBERS
PHPD arrest numbers will not be issued for in field warrant cite releases.

417.6 JUVENILE CITATIONS
Completion of Notices to Appear for juveniles is generally not appropriate and the PHPD YSB citation should be used with the following exceptions:

- Traffic violations of the Vehicle Code, including DUI, 14601 VC, and 12500 VC (for juveniles age 16 or over)
- 23140 VC
- 25662 B &P and related alcoholic beverage sections (for juveniles age 16 or over)

Other misdemeanor violations for juveniles will be documented with a case number, YSB citation, and the case should be referred to the Investigations Division for further action including diversion. Officers should see if the Juvenile Hall will accept the booking of juveniles arrested for serious violent crimes.
Cite and Release Policy

417.7 REQUESTING CASE NUMBERS
Vehicle Code infraction violations and Municipal Code violations, excluding instances in which evidence was seized, can be documented on the reverse side of the records copy of the citation. Most Penal Code sections will require a case number to document the incident properly in a report. This section does not preclude an officer from requesting a case number if he/she feels the situation should be documented more thoroughly in a case report.

417.8 IDENTIFICATION
Whenever any individual is reasonably suspected of a criminal violation (infraction, misdemeanor, or felony), the investigating officer should take reasonable steps to establish the person's identity through the production of valid identification or other reliable sources.

If an individual would have otherwise been released for an infraction or misdemeanor on a citation, the person should be taken to the station and given a reasonable opportunity to verify their true identity (e.g., telephone calls, etc.). If the person's identity is thereafter reasonably established, the original citation release should be completed.

417.9 ARREST
If the officer intends to take enforcement action and the individual is unable to reasonably establish his or her true identity, the officer may take the person into custody on the suspected criminal violation (see Vehicle Code § 40302a, and Penal Code § 836, if pertinent to the circumstances).

417.10 BOOKING
If the officer is unable to reasonably establish an arrestee's identity, the individual may, upon approval of a supervisor, be booked into jail for the suspected criminal violation and held for bail.

If a person is detained pursuant to the authority of Vehicle Code § 40302a, for an infraction, that person may be detained upon approval of a supervisor for a reasonable period not to exceed two hours for the purpose of establishing their true identity. Regardless of the status of that person's identity at the expiration of two hours, he or she shall be released on his/her signature with a promise to appear in court for the Vehicle Code infraction involved.
Retention of Alcoholic Beverages

418.1 PURPOSE AND SCOPE
This policy will provide direction to Patrol Division personnel on the retention of alcoholic beverages for infraction violations and minor in possession of alcoholic beverage cases.

418.2 PROCEDURE
(a) Alcoholic beverages in infraction violations may be seized as contraband and discarded at the scene. The quantity, type, and type of beverage container should be noted in any crime report or may be noted on the reverse of a citation.
(b) Violators may be given the option of discarding their alcoholic beverages at the scene.
(c) Alcoholic beverages may be discarded at the scene in minor in possession of alcoholic beverage cases (§ 25662 Business and Professions Code) provided the beverage is not evidence of some other crime, e.g., the beverages were stolen and are evidence in a related theft case. An attempt should be made to notify the parent, guardian, or responsible adult of the situation. Violators may be given the option of discarding their alcoholic beverages at the scene. Officers should issue citations for violations when probable cause exists.
(d) Alcoholic beverages may be booked as evidence in exceptional cases. The destruction of alcoholic beverages at the scene as contraband should be noted on the officer synopsis field of a CAD event. Officers should not transport alcoholic beverages from a scene unless the beverages are being seized as evidence.
(e) The presence of alcoholic beverages in a vehicle should be noted in misdemeanor DUI cases. Alcoholic beverages, in open or closed containers, may be seized as evidence in felony DUI cases and should be seized in alcohol related fatal collisions.
Arrest or Detention of Foreign Nationals

419.1 PURPOSE AND SCOPE
Article 36 of the Vienna Convention on Consular Relations, sets forth certain rights of foreign nationals from member countries when arrested, detained or imprisoned by law enforcement officials in this country. This section provides direction to officers when considering a physical arrest or detention of a foreign national. All foreign service personnel shall be treated with respect and courtesy, regardless of the level of established immunity. As noted herein, the United States is a party to several bilateral agreements that obligate authorities to notify the consulate upon the person’s detention, regardless of whether the detained person requests that his/her consulate be notified. The list of specific countries that the United States is obligated to notify is listed on the U.S. Department of State website.

419.1.1 DEFINITIONS
**Foreign National** - Anyone who is not a citizen of the United States (U.S.). A person with dual-citizenship, U.S. and foreign, is not a foreign national.

**Immunity** - Refers to various protections and privileges extended to the employees of foreign governments who are present in the U.S. as official representatives of their home governments. These privileges are embodied in international law and are intended to ensure the efficient and effective performance of their official ”missions” (i.e., embassies, consulates, etc.) in foreign countries. Proper respect for the immunity to which an individual is entitled is necessary to ensure that U.S. diplomatic relations are not jeopardized and to maintain reciprocal treatment of U.S. personnel abroad. Although immunity may preclude U.S. courts from exercising jurisdiction, it is not intended to excuse unlawful activity. It is the policy of the U.S. Department of State’s Office of Foreign Missions (OFM) that illegal acts by Foreign Service personnel should always be pursued through proper channels. Additionally, the host country’s right to protect its citizens supersedes immunity privileges. Peace officers may intervene to the extent necessary to prevent the endangerment of public safety or the commission of a serious crime, regardless of immunity claims.

419.2 ARREST OR DETENTION OF FOREIGN NATIONALS
Officers should take appropriate enforcement action for all violations observed, regardless of claims of diplomatic or consular immunity received from violators. A person shall not, however, be subjected to in-custody arrest when diplomatic or consular immunity is claimed by the individual or suspected by the officer, and the officer has verified or reasonably suspects that the claim of immunity is valid.

419.3 LEVELS OF IMMUNITY
The specific degree of immunity afforded to foreign service personnel within the U.S. is directly related to their function and position in this country.
Arrest or Detention of Foreign Nationals

419.3.1 DIPLOMATIC AGENTS
Diplomatic agents (e.g., ambassadors and United Nations representatives) are afforded the highest levels of immunity. They are exempt from arrest or detention and are immune from all criminal (and most civil) prosecution by the host state. The family members of diplomatic agents enjoy these same immunities. Currently there are no diplomatic agents permanently assigned to California; but they do occasionally visit the state.

419.3.2 CONSULAR OFFICERS
Consular officers are the ranking members of consular posts who perform various formal functions on behalf of their own governments. Typical titles include consul general, consul, and vice consul. These officials are immune from arrest or detention, except pursuant to a felony warrant. They are only immune from criminal and civil prosecution arising from official acts. Official acts immunity must be raised as an affirmative defense in the court jurisdiction, and its validity is determined by the court. Under this defense, the prohibited act itself must have been performed as an official function. It is not sufficient that the consular agent was on-duty or in an official capacity at the time of the violation. The family members of consular officers generally enjoy no immunity, however, any family member who enjoys a higher level of immunity is issued an identification card by Department of State (DOS) enumerating any privileges or immunities on the back of the card. Examples are consular officers and family members from Russia or China.

There are approximately 600 consular officers in California, with most located in Los Angeles, San Francisco and San Diego.

419.3.3 HONORARY CONSULS
Honorary consuls are part-time employees of the country they represent and are either permanent residents of the U.S. or U.S. nationals (unlike career consular officers, who are foreign nationals on temporary assignment to the U.S.). Honorary consuls may be arrested and detained; limited immunity for official acts may be available as a subsequent defense. Family members have no immunity. There are less than 100 honorary consuls in California.

419.4 IDENTIFICATION
All diplomatic and consular personnel who are entitled to immunity are registered with the Department of State and are issued distinctive identification cards by the Department of State Protocol Office. These cards are the best means of identifying Foreign Service personnel. They include a photograph, identifying information, and, on the reverse side, a brief description of the bearer's immunity status. Unfortunately, these identification cards are not always promptly issued by the Department of State. In addition to the Department of State identification card, Foreign Service personnel should also have a driver license issued by the Department of State Diplomatic Motor Vehicle Office (DMVO), which in most circumstances replaces the operator's license issued by the state. Additionally they may have California credentials issued by the California Emergency Management Agency (Cal EMA).
Arrest or Detention of Foreign Nationals

419.4.1 VEHICLE REGISTRATION
Vehicles that are owned by foreign missions or Foreign Service personnel and their dependents are registered with the Department of State OFM and display distinctive red, white, and blue license plates. Vehicles assigned to diplomatic or consular officers will generally have license plates labels with the words "diplomat" or "consul." Vehicles owned by honorary consuls are not issued OFM license plates; but may have California license plates with an "honorary consul" label. Driver's identity or immunity status should not be presumed from the type of license plates displayed on the vehicle. The status of an OFM license plate should be run via the National Law Enforcement Telecommunications System (NLETS), designating "US" as the state, if the officer has reason to question the legitimate possession of the license plate.

419.5 ENFORCEMENT PROCEDURES
The following procedures provide a guideline for handling enforcement of foreign nationals:

419.5.1 CITABLE OFFENSES
An enforcement document shall be issued at the scene for all violations warranting such action, regardless of the violator's immunity status. The issuance of a citation is not considered an arrest or detention under current Department of State guidelines. Whenever the equivalent of a notice to appear is issued to an immunity claimant, the following additional procedures shall be followed by the arresting officer:

(a) Identification documents are to be requested of the claimant

(b) The title and country represented by the claimant are to be recorded on the back of the officer's copy of the Notice to Appear for later reference. Do not include on the face of the notice to appear

(c) The claimant shall be requested to sign the notice to appear. If the claimant refuses, the identity and immunity status of the individual shall be conclusively established

(d) Verified diplomatic agents and consular officers, including staff and family members from countries with which the U.S. has special agreements, are not required to sign the Notice to Appear. The word "Refused" shall be entered in the signature box, and the violator shall be released

(e) Verified consular staff members, excluding those from countries with which the U.S. has special agreements, are generally obligated to sign the Notice to Appear, but a signature shall not be required if their immunity status is uncertain

(f) All other claimants are subject to the provisions of Vehicle Code § 40302(b) and policy and procedures outlined in this chapter

(g) The violator shall be provided with the appropriate copy of the notice to appear

419.5.2 IN-CUSTODY ARRESTS
Diplomatic agents and consular officers are immune from arrest or detention (unless they have no identification and the detention is to verify their diplomatic status). Proper identification of
Arrest or Detention of Foreign Nationals

Immunity claimants is imperative in potential in-custody situations. Claimants who are not entitled to immunity shall be placed in custody in accordance with the provisions outlined in Policy Manual § 422.6 of this policy.

A subject who is placed under arrest and claims diplomatic or consular immunity shall not be physically restrained before verification of the claim (unless restraint is necessary for the protection of the officer or others.)

A supervisor shall be promptly notified and should respond to the scene when possible.

Field verification of the claimant's identity is to be attempted as follows:

(a) Identification cards issued by the Department of State, Protocol Office, are the only valid evidence of diplomatic or consular immunity. The following types of identification cards are issued: Diplomatic (blue bordered), Consular (red bordered), and Official (green bordered). The Department of State identification cards are 3-3/4 inch by 1-1/2 inch and contain a photograph of the bearer.

(b) Initiate telephone verification with the Department of State. Newly arrived members of diplomatic or consular missions may not yet have official Department of State identity documents. Verify immunity by telephone with the Department of State any time an individual claims immunity and cannot present satisfactory identification, the officer has reason to doubt the claim of immunity, or there is a possibility of physical arrest. Law enforcement personnel should use the following numbers in order of preference:

Office of Foreign Missions
San Francisco, CA
(415) 744-2910, Ext. 22 or 23
(415) 744-2913 FAX
(0800-1700 PST)

Office of Foreign Missions
Los Angeles, CA
(310) 235-6292, Ext. 121 or 122
(310) 235-6297 FAX
(0800-1700 PST)

Office of Foreign Missions
Diplomatic Motor Vehicle Office
Washington D.C.
(202) 895-3521 (Driver License Verification) or
(202) 895-3532 (Registration Verification)
(202) 895-3533 FAX
(0815-1700 EST)

Office of the Foreign Missions
Department of State
Diplomatic Security Service Command Center
Washington D.C.
(202) 647-7277
(202) 647-1512
(0202) 647-0122 FAX
(Available 24 hours)
Arrest or Detention of Foreign Nationals

Members of diplomatic or consular missions also may have other forms of identification. These include identification cards issued by California Emergency Management Agency (Cal EMA), local law enforcement agencies, the foreign embassy, or consulate; driver licenses issued by Department of State; and, Department of State license indicia on the vehicle. All these items are only an indication that the bearer may have some form of immunity.

Subjects verified through the above procedures as being officials entitled to immunity (diplomatic agent, consular officers and consular staff and family members from countries with which the U.S. has special agreements) may not be arrested. The procedures below shall be followed. These procedures should also be used in the event immunity cannot be verified, but another form of identification indicates that immunity is probable.

If the release of the violator will not create an additional hazard, adequate information to properly identify the violator shall be obtained then the official shall be released. A supervisor's approval for the release shall be obtained whenever possible. The necessary release documents and/or a Certificate of Release form should only be issued under the proper conditions.

If the violator appears to have been driving while under the influence, field sobriety tests, including Preliminary Alcohol Screening (PAS) device tests and chemical tests should be offered and obtained whenever possible, however, these tests cannot be compelled. The subject shall not be permitted to drive. A supervisor's approval for release shall be obtained whenever possible and alternative transportation should be arranged.

All facts of the incident shall be documented in accordance with this policy in a Driving Under the Influence (DUI) Arrest-Investigation Report, Arrest-Investigation Report and/or any other relevant Report form. Notwithstanding the field release of the subject, prosecution is still appropriate and should be pursued by the command concerned. The Department of State will take appropriate sanctions against errant foreign service personnel, even where prosecution is not undertaken by the agency.

419.6 TRAFFIC COLLISIONS
Persons involved in traffic collisions who possess a Department of State OFM Diplomatic Driver License, issued by the DMVO, shall have "D" coded in the license "class" box of the Traffic Collision Report. The actual driver license class (e.g., 1, 2, 3, or A, B, C, M) shall be entered in the miscellaneous box on page two of the traffic report. If subsequent prosecution of the claimant is anticipated, the claimant's title, country, and type of identification presented should be recorded for future reference. Issuance of a citation to, or arrest of, an immunity claimant at the accident scene should be handled in accordance with the procedures specified in Policy Manual § 422.5 of this chapter.

419.6.1 VEHICLES
Vehicles, which are owned by subjects with full immunity, may not be searched, stored, or impounded without the owner's permission. (Such permission may be assumed if the vehicle has been stolen.) These vehicles may, however, be towed the necessary distance to remove them from obstructing traffic or creating any other hazard.
419.6.2 REPORTS
A photocopy of each traffic collision report involving an identified diplomat and/or immunity claimant shall be forwarded to the office of the Chief of Police within 48 hours whether or not the claim is verified. The words "Immunity Claim" shall be marked on the photocopy, together with a notation of the claimant's title, country, and type of identification presented (if applicable). In addition to the report, a follow-up cover memorandum should be submitted if the violation was flagrant, if the claimant was uncooperative, or if there were any other unusual aspects of the enforcement contact that should be reported to the Department of State for further action. The Watch Commander/Supervisor apprised of the incident/accident shall also send a copy of all documents and reports submitted by the investigating officer along with any supervisor's notes, materials and/or logs to the Chief of Police's office within 48 hours of the incident. The Chief of Police's office will check to ensure that notification of Department of State and all necessary follow-up occur.

419.7 FOREIGN NATIONALS WHO DO NOT CLAIM IMMUNITY
These policies and procedures apply to foreign nationals who do not claim diplomatic or consular immunity.

Officers shall arrest foreign nationals only under the following circumstances:

(a) There is a valid warrant issued for the person's arrest
(b) There is probable cause to believe that the foreign national has violated a federal criminal law, a state law, or a local ordinance
(c) Officers shall not arrest foreign nationals solely for alleged undocumented entry into the U.S. unless the undocumented entry is committed in the officer's presence

After a lawful detention or criminal arrest, officers may detain foreign nationals solely for alleged undocumented presence in the U.S. if the U.S. Immigration and Customs Enforcement (ICE) is contacted and can respond to take custody within a reasonable time. Officers shall not arrest foreign nationals for undocumented presence. Federal courts have consistently held that undocumented presence is not a crime but a federal civil violation only enforceable by federal officers.

- Officers shall not stop or detain persons solely for determining immigration status.
- International treaty obligations provide for notification of foreign governments when foreign nationals are arrested or otherwise detained in the U.S.
- Whenever an officer arrests and incarcerates a foreign national or detains a foreign national for investigation for over two hours, the officer shall promptly advise the individual that he/she is entitled to have his/her government notified of the arrest or detention. (Penal Code § 834c). If the individual wants his/her government notified, the officer shall begin the notification process.
419.7.1 ARREST PROCEDURE
Whenever an officer physically arrests or detains an individual for criminal investigation and the officer reasonably believes the person to be a foreign national, the officer shall inquire to determine the person's citizenship.

This procedure applies to detentions of more than two hours. An inquiry is not required if the individual is detained less than two hours for criminal investigation.

If the individual indicates that he/she is other than a U.S. citizen, the officer shall advise the individual that he/she has a right to have the nearest appropriate embassy or consulate notified of the arrest/detention (Vienna Convention on Consular Relations, Art. 36, (1969)).

If the individual requests such notification, the officer shall contact Dispatch as soon as practical and request the appropriate embassy/consulate be notified. Officers shall provide Dispatch with the following information concerning the individual:

- Country of citizenship
- Full name of individual, including paternal and maternal surname, if used
- Date of birth or age
- Current residence
- Time, date, place, location of incarceration/detention and the 24-hour telephone number of the place of detention if different from the Department itself

If the individual claims citizenship of one of the countries for which notification of the consulate/embassy is mandatory, officers shall provide Dispatch with the information above as soon as practicable, regardless of whether the individual desires that the embassy/consulate be notified. This procedure is critical because of treaty obligations with the particular countries. The list of countries and jurisdictions that require notification can be found on the U.S. Department of State website.

419.7.2 DOCUMENTATION
Officers shall document on the face page and in the narrative of the appropriate Arrest-Investigation Report the date and time Dispatch was notified of the foreign national's arrest/detention and his/her claimed nationality.
Rapid Response and Deployment Policy

420.1 PURPOSE AND SCOPE
Violence that is committed in schools, workplaces and other locations by individuals or a group of individuals who are determined to target and kill persons and to create mass casualties presents a difficult situation for law enforcement. The purpose of this policy is to identify guidelines and factors that will assist responding officers in situations that call for rapid response and deployment.

420.2 POLICY
The Pleasant Hill Police Department will endeavor to plan for rapid response to crisis situations, and to coordinate response planning with other emergency services as well as with those that are responsible for operating sites that may be the target of a critical incident.

Nothing in this policy shall preclude the use of reasonable force, deadly or otherwise, by members of the Department in protecting themselves or others from death or serious injury.

420.3 FIRST RESPONSE
If there is a reasonable belief that acts or threats by a suspect are placing lives in imminent danger, first responding officers should consider reasonable options to reduce, prevent or eliminate the threat. Officers must decide, often under a multitude of difficult and rapidly evolving circumstances, whether to advance on the suspect, take other actions to deal with the threat or wait for additional resources.

If a suspect is actively engaged in the infliction of serious bodily harm or other life-threatening activity toward others, officers should take immediate action, if reasonably practicable, while requesting additional assistance.

Officers should remain aware of the possibility that an incident may be part of a coordinated multi-location attack that may require some capacity to respond to other incidents at other locations.

When deciding on a course of action officers should consider:

(a) Whether to advance on or engage a suspect who is still a possible or perceived threat to others. Any advance or engagement should be based on information known or received at the time.

(b) Whether to wait for additional resources or personnel. This does not preclude an individual officer from taking immediate action.

(c) Whether individuals who are under imminent threat can be moved or evacuated with reasonable safety.

(d) Whether the suspect can be contained or denied access to victims.

(e) Whether the officers have the ability to effectively communicate with other personnel or resources.
Rapid Response and Deployment Policy

(f) Whether planned tactics can be effectively deployed.

(g) The availability of rifles, shotguns, shields, breaching tools, control devices and any other appropriate tools, and whether the deployment of these tools will provide a tactical advantage.

In a case of a barricaded suspect with no hostages and no immediate threat to others, officers should consider summoning and waiting for additional assistance (special tactics and/or hostage negotiation team response).

420.4 CONSIDERATIONS
When dealing with a crisis situation members should:

(a) Assess the immediate situation and take reasonable steps to maintain operative control of the incident.

(b) Obtain, explore and analyze sources of intelligence and known information regarding the circumstances, location and suspect involved in the incident.

(c) Attempt to attain a tactical advantage over the suspect by reducing, preventing or eliminating any known or perceived threat.

(d) Attempt, if feasible and based upon the suspect’s actions and danger to others, a negotiated surrender of the suspect and release of the hostages.

420.5 PLANNING
The Operations Division Commander should coordinate critical incident planning. Planning efforts should consider:

(a) Identification of likely critical incident target sites, such as schools, shopping centers, entertainment and sporting event venues.

(b) Availability of building plans and venue schematics of likely critical incident target sites.

(c) Communications interoperability with other law enforcement and emergency service agencies.

(d) Training opportunities in critical incident target sites, including joint training with site occupants, fire, EMS, and other agencies.

(e) Evacuation routes in critical incident target sites.

(f) Patrol first-response training.

(g) Response coordination and resources of emergency medical and fire services.

(h) Equipment needs.

(i) Mutual aid agreements with other agencies.

(j) Coordination with private security providers in critical incident target sites.
Rapid Response and Deployment Policy

420.6 TRAINING
The Professional Standards Sergeant should include rapid response to critical incidents in the training plan. This training should address:

(a) Orientation to likely critical incident target sites, such as schools, multi-unit office buildings, churches, shopping centers, entertainment and sporting event venues.

(b) Communications interoperability with other law enforcement and emergency service agencies.

(c) Patrol first-response training, including patrol rifle, shotgun, breaching tools and control device training.
   (a) This should include the POST terrorism incident training required for officers assigned to field duties (Penal Code § 13519.12).

(d) First aid, including gunshot trauma.

(e) Reality-based scenario training (e.g., active shooter, disgruntled violent worker).
Alcoholic Beverage Control Permits

421.1 PURPOSE AND SCOPE
This policy specifies the responsibility for the preparation of the required response from the Department to Alcoholic Beverage Control regarding requests to them for a limited-duration permit to sell alcoholic beverages within the City limits of Pleasant Hill.

421.2 POLICY AND PROCEDURES

421.2.1 GENERAL PROVISIONS

(a) All inquiries from Alcoholic Beverage Control regarding requests they have received for limited-duration permits to sell alcoholic beverages will be referred to the Patrol Division Commander.

(b) Requests will only be processed during normal business hours.

(c) The Patrol Division Commander, or designee, shall:

1. Conduct a PHPD records check to determine what, if any, prior contacts with the Department the applicant (individual or group) may have had in the past five (5) years.

2. Requests will be denied if there have been prior incidents of misconduct at past events involving liquor sales associated with the group or individual making the request.

3. Prepare a letter if the Department has no objection to the permit being issued, or draft a letter opposing the permit and the reasons for the opposition. Denied requests may be appealed to the Administration Division Captain or Chief of Police and this will be specified in the letter.
Reporting Police Activity Outside of Jurisdiction

422.1 PURPOSE AND SCOPE
This policy provides general guidelines for reporting police activity while on or off-duty and occurring outside the jurisdiction of the Pleasant Hill Police Department.

422.1.1 ASSISTANCE TO AGENCIES OUTSIDE THE CITY
When an officer is on-duty and is requested by an allied agency to participate in law enforcement activity in another jurisdiction, he/she shall obtain prior approval from the immediate supervisor or the Watch Commander. If the request is of an emergency nature, the officer shall notify Dispatch before responding and thereafter notify a supervisor as soon as practical.

422.1.2 LAW ENFORCEMENT ACTIVITY OUTSIDE THE CITY
Any on-duty officer, who engages in law enforcement activities of any type outside the immediate jurisdiction of Pleasant Hill shall notify his or her supervisor or the on-duty Watch Commander at the earliest possible opportunity. Any off duty officer who engages in any law enforcement activities, regardless of jurisdiction shall notify the on duty Watch Commander as soon as practical.

The supervisor shall determine if a police report or inter-office memo is required to document the officer’s activity. The report or memorandum will be forwarded to the officer’s Division Commander.

Uses of force by Pleasant Hill Police officers will require a report. The classification will be MSOA.

Uses of force by officers of other agencies in which Pleasant Hill Police officers responded to a request for assistance or were otherwise involved in the incident, regardless of the degree of force, if any, used by a Pleasant Hill Police employee, will require documentation in a report. The classification will be MSOA.

Deployments of Pleasant Hill Police canines at the request of outside agencies will not require crime/incident reports unless an injury occurred or per the provisions of the Police Service Dog policy.
Immigration Violations

423.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines to members of the Pleasant Hill Police Department relating to immigration and interacting with federal immigration officials.

423.1.1 DEFINITIONS
The following definitions apply to this policy (Government Code § 7284.4):

Criminal immigration violation - Any federal criminal immigration violation that penalizes a person’s presence in, entry, or reentry to, or employment in, the United States. This does not include any offense where a judicial warrant already has been issued.

Judicial warrant - An arrest warrant for a violation of federal criminal immigration law and issued by a federal judge or a federal magistrate judge.

423.2 POLICY
It is the policy of the Pleasant Hill Police Department that all members make personal and professional commitments to equal enforcement of the law and equal service to the public. Confidence in this commitment will increase the effectiveness of this department in protecting and serving the entire community and recognizing the dignity of all persons, regardless of their national origin or immigration status. Department employees will comply with the provisions of the California Values Act (Government Code § 7284).

423.3 PROCEDURE FOR IMMIGRATION COMPLAINTS
Persons wishing to report immigration violations should be referred to the local office of the U.S. Immigration and Customs Enforcement (ICE). The Employer Sanction Unit of ICE has primary jurisdiction for enforcement of Title 8, United States Code.

423.4 VICTIMS AND WITNESSES
To encourage crime reporting and cooperation in the investigation of criminal activity, all individuals, regardless of their immigration status, must feel secure that contacting or being addressed by members of law enforcement will not automatically lead to immigration inquiry and/or deportation. While it may be necessary to determine the identity of a victim or witness, members shall treat all individuals equally and without regard to race, ethnicity, or national origin in any way that would violate the United States or California constitutions.

423.4.1 IMMIGRATION INQUIRIES PROHIBITED
Employees shall not inquire into an individual's immigration status for immigration enforcement purposes (Government Code § 7284.6).

423.5 DETENTIONS AND ARRESTS
An officer shall not detain any individual, for any length of time, for a civil violation of federal immigration laws or a related civil warrant (Government Code § 7284.6).
An officer who has a reasonable suspicion that an individual already lawfully contacted or detained has committed a criminal violation of 8 USC § 1326(a) (unlawful reentry) that may be subject to an enhancement due to a previous conviction of an aggravated felony under USC § 1326(b)(2), may detain the person for a reasonable period of time to contact federal immigration officials to verify whether the United States Attorney General has granted the individual permission for reentry and whether the violation is subject to enhancement (Government Code § 7284.6). No individual who is otherwise ready to be released should continue to be detained only because questions about the individual’s status are unresolved.

If the officer has facts that establish probable cause to believe that a person already lawfully detained has violated 8 USC § 1326(a) and the penalty may be subject to enhancement due to prior conviction for specified aggravated felonies, he/she may arrest the individual for that offense (Government Code § 7284.6).

An officer shall not detain any individual, for any length of time, for any other criminal immigration violation of federal immigration laws (Government Code § 7284.6).

An officer should notify a supervisor as soon as practicable whenever an individual is arrested for violation of 8 USC § 1326(a).

423.5.1 IMMIGRATION DETAINERS
No individual should be held based solely on a federal immigration detainer under 8 CFR 287.7 (Government Code § 7284.6).

423.5.2 TRANSFERS TO IMMIGRATION AUTHORITIES
Members shall not transfer an individual to immigration authorities unless one of the following circumstances exist:

(a) Transfer is authorized by a judicial warrant or judicial probable cause determination.

(b) The individual has been convicted of an offense as identified in Government Code § 7282.5(a).

(c) The individual is a current registrant on the California Sex and Arson Registry.

(d) The individual is identified by the U.S. Department of Homeland Security’s Immigration and Customs Enforcement as the subject of an outstanding federal felony arrest warrant.

423.5.3 SUPERVISOR RESPONSIBILITIES
When notified that an officer has arrested an individual for violation of 8 USC § 1326(a) or under the authority of a judicial warrant, the supervisor should determine whether it is appropriate to:

(a) Transfer the person to federal authorities.

(b) Transfer the person to jail.
Immigration Violations

423.6 FEDERAL REQUESTS FOR ASSISTANCE
Absent an urgent issue of officer safety or other emergency circumstances, requests by federal immigration officials for assistance from this department should be directed to a supervisor. The supervisor is responsible for determining whether the requested assistance would be permitted under the California Values Act (Government Code § 7284.2 et seq.).

423.7 INFORMATION SHARING
No member of this department will prohibit, or in any way restrict, any other member from doing any of the following regarding the citizenship or immigration status, lawful or unlawful, of any individual (8 USC § 1373; Government Code § 7284.6):

(a) Sending information to, or requesting or receiving such information from federal immigration officials
(b) Maintaining such information in department records
(c) Exchanging such information with any other federal, state or local government entity

Nothing in this policy restricts sharing information that is permissible under the California Values Act.

Employees shall not provide personal information, as defined in Section 1798.3 of the Civil Code, about an individual, including, but not limited to, the individual’s home address or work address unless that information is available to the public (Government Code § 7284.6).

Notification to a federal authority may be made prior to release of an individual who is the subject of a notification request only if the individual meets one of the following conditions (Government Code § 7282.5; Government Code § 7284.6):

(a) The individual has been convicted of an offense as identified in Government Code §7282.5(a).
(b) The individual is a current registrant on the California Sex and Arson Registry.
(c) The individual is identified by the U.S. Department of Homeland Security’s Immigration and Customs Enforcement as the subject of an outstanding federal felony arrest warrant.

423.7.1 NOTIFICATION TO FEDERAL AUTHORITIES
Notification to a federal authority may be made prior to release of an individual who is the subject of a notification request only if the individual meets one of the following conditions (Government Code § 7282.5; Government Code § 7284.6):

(a) The individual has been arrested and had a judicial probable cause determination for a serious or violent felony identified in Penal Code § 667.5(c) or Penal Code § 1192.7(c).
(b) The individual has been arrested and had a judicial probable cause determination for a felony punishable by time in a state penitentiary.
(c) The individual has been convicted of an offense as identified in Government Code § 7282.5(a).
(d) The individual is a current registrant on the California Sex and Arson Registry.
Immigration Violations

(e) The individual is identified by the U.S. Department of Homeland Security’s Immigration and Customs Enforcement as the subject of an outstanding federal felony arrest warrant.

423.7.2 NOTICE TO INDIVIDUALS
Individuals in custody shall be given a copy of documentation received from U.S. Immigration and Customs Enforcement (ICE) regarding a hold, notification or transfer request along with information as to whether the Pleasant Hill Police Department intends to comply with the request (Government Code § 7283.1).

If the Pleasant Hill Police Department provides ICE with notification that an individual is being, or will be, released on a certain date, the same notification shall be provided in writing to the individual and to his/her attorney or to one additional person who the individual may designate in accordance with Government Code § 7283.1.

423.7.3 ICE INTERVIEWS
Before any interview regarding civil immigration violations takes place between ICE personnel and an individual in custody, the Pleasant Hill Police Department shall provide the individual with a written consent form that explains the purpose of the interview, that the interview is voluntary and that he/she may decline to be interviewed or may choose to be interviewed only with his/her attorney present. The consent form must be available in the languages specified in Government Code § 7283.1. Employees will not use immigration authorities as interpreters for law enforcement matters relating to individuals in department custody (Government Code § 7284.6(a)(3)).

423.7.4 ADDITIONAL CONSIDERATIONS
The Pleasant Hill Police Department is concerned for the safety of local citizens and thus detection of criminal behavior is of primary interest in dealing with any person. The decision to arrest shall be based upon those factors which establish probable cause and not on arbitrary aspects. Race, ethnicity, age, gender, sexual orientation, religion, and socioeconomic status alone are of no bearing on the decision to arrest.

All individuals, regardless of their immigration status, must feel secure that contacting law enforcement will not make them vulnerable to deportation. Officers should not attempt to determine the immigration status of crime victims and witnesses.

Nothing in this policy is intended to restrict officers from communicating with federal authorities regarding the immigration or citizenship status of individuals in conformance with 8 U.S.C. §1373 and 8 U.S.C. § 1644.

423.7.5 TRANSFERS TO IMMIGRATION AUTHORITIES
Members shall not transfer an individual to immigration authorities unless one of the following circumstances exist (Government Code § 7282.5; Government Code § 7284.6):

(a) Transfer is authorized by a judicial warrant or judicial probable cause determination.

(b) The individual has been convicted of an offense as identified in Government Code § 7282.5(a).
Immigration Violations

(c) The individual is a current registrant on the California Sex and Arson Registry.

(d) The individual is identified by the U.S. Department of Homeland Security’s Immigration and Customs Enforcement as the subject of an outstanding federal felony arrest warrant.

423.7.6 REPORTING TO CALIFORNIA DEPARTMENT OF JUSTICE
The Support Services Commander shall ensure that data regarding the number of transfers of an individual to immigration authorities, as permitted by Government Code § 7284.6(a)(4), and the offense that allowed for the transfer is collected and provided to the Support Services Supervisor for required reporting to the DOJ (Government Code § 7284.6(c)(2)(see the Support Services Division Policy).

423.8 U VISA AND T VISA NONIMMIGRANT STATUS
Under certain circumstances, federal law allows temporary immigration benefits, known as a U visa, to victims and witnesses of certain qualifying crimes (8 USC § 1101(a)(15)(U)).

Similar immigration protection, known as a T visa, is available for certain qualifying victims of human trafficking (8 USC § 1101(a)(15)(T)).

Any request for assistance in applying for U visa or T visa status should be forwarded in a timely manner to the Support Services Commander assigned to oversee the handling of any related case. The Support Services Commander should:

(a) Consult with the assigned investigator to determine the current status of any related case and whether further documentation is warranted.

(b) Contact the appropriate prosecutor assigned to the case, if applicable, to ensure the certification or declaration has not already been completed and whether a certification or declaration is warranted.

(c) Address the request and complete the certification or declaration, if appropriate, in a timely manner.
   1. The instructions for completing certification and declaration forms can be found on the U.S. Department of Homeland Security (DHS) website.
   2. Form I-918 Supplement B certification shall be completed if the victim qualifies under Penal Code § 679.10 (multiple serious offenses). Form I-914 Supplement B certification shall be completed if the victim qualifies under Penal Code § 236.5 or Penal Code § 679.11 (human trafficking).

(d) Ensure that any decision to complete, or not complete, a certification or declaration form is documented in the case file and forwarded to the appropriate prosecutor. Include a copy of any completed form in the case file.

(e) Inform the victim liaison of any requests and their status.

423.8.1 TIME FRAMES FOR COMPLETION
Officers and their supervisors who are assigned to investigate a case of human trafficking as defined by Penal Code § 236.1 shall complete the above process and the documents needed for
indicating the individual is a victim for the T visa application within 15 business days of the first encounter with the victim, regardless of whether it is requested by the victim (Penal Code § 236.5).

Officers and their supervisors shall complete the above process and the documents needed certifying victim cooperation for a U visa or T visa application pursuant to Penal Code § 679.10 and Penal Code § 679.11 within 90 days of a request from the victim or victim’s family related to one of their assigned cases. If the victim is in removal proceedings, the certification shall be processed within 14 days of the request.

423.8.2 REPORTING TO LEGISLATURE
The Support Services Division Commander or the authorized designee should ensure that certification requests are reported to the Legislature in January of each year and include the number of certifications signed and the number denied. The report shall comply with Government Code § 9795 (Penal Code § 679.10; Penal Code § 679.11).
Emergency Utility Service

424.1 PURPOSE AND SCOPE
The City Public Works Department has personnel available to handle emergency calls 24 hours per day. Calls for service during non-business hours are frequently directed to the Police Department. Requests for such service received by this department should be handled in the following manner.

424.1.1 BROKEN WATER LINES
The water district's responsibility customarily ends at the water meter; any break or malfunction in the water system from the water meter to the citizen's residence or business is the customer's responsibility. Water district employees normally are responsible for shutting the water off at the meter but City Public Works employees may be able to assist. The citizen can also normally turn off water at the meter.

If a break occurs on the water district's side of the meter, emergency personnel should be called as soon as practical by Dispatch.

424.1.2 ELECTRICAL LINES
City Public Works does not maintain electrical lines to street light poles. When a power line poses a hazard, an officer should be dispatched to protect against personal injury or property damage that might be caused by power lines. Pacific Gas & Electric should be notified as soon as possible to repair the lines.

424.1.3 RESERVOIRS, PUMPS, WELLS, ETC.
The East Bay Municipal Utility District, Contra Costa Water District, and/or Diablo Vista Water District maintains the city reservoirs and public water equipment, as well as several underpass and other street drainage pumps. In the event of flooding or equipment malfunctions, emergency personnel from Contra Costa Water or East Bay Municipal Water District should be contacted as soon as possible. Diablo Vista Water does not possess emergency response capability.

424.1.4 EMERGENCY NUMBERS
Dispatch will maintain telephone numbers for utility company notification and call out. The City Public Works Department periodically or as necessary forwards information to Dispatch on Public Works employees available for call out or call out procedures.

424.2 TRAFFIC SIGNAL MAINTENANCE
The City of Pleasant Hill Police contracts with Contra Costa County to furnish maintenance for all traffic signals within the City, other than those maintained by the State of California.

424.2.1 OFFICER'S RESPONSIBILITY
Upon observing a damaged or malfunctioning signal, the officer will advise the Dispatch of the location and problem with the signal. The dispatcher should make the necessary notification to the proper maintenance agency.
Emergency Utility Service

If an officer accesses a signal control box and sets the signal on flashing red, he or she will notify Dispatch and the Watch Commander of this condition; the dispatcher will notify the maintenance agency of the signal's condition.
Flooding

425.1 PURPOSE AND SCOPE
This policy provides direction on dealing with flooding issues.

425.2 PROCEDURE

(a) In the event of flooding conditions, police employees should direct citizens to sandbag stations operated or maintained by Public Works employees.

(b) Officers should monitor the neighborhoods that historically experience flooding issues, such as "Poets Corner", Cleveland near Astrid, and various portions of Pleasant Hill Rd. Officers should pay particular attention to the creeks in the area.

(c) Officers will keep their vehicle appropriately stocked with road flares and traffic cones. In the event of a flooding condition, that creates an immediate threat to public safety or property, we have the responsibility to notify the residents of the affected area. Notification can be accomplished by using the loudspeaker on the patrol car, personal contact, reverse directory phone calls, or activation on the "Community Alert Network". Activation of this network is accomplished through the Sheriffs Office Dispatch. The Watch Commander will be responsible for selecting the most appropriate method of notification.

425.2.1 PUBLIC SERVICE CENTER
The Public Service Center may be called for assistance when addressing flooding issues. The Public Service Center has numerous items of equipment. These items include, but are not limited to, generators, pumps, hoses, barricades and sandbags.

The Public Service Center is ready to respond and should be utilized under the following conditions:

(a) Clearing storm drains when the drain grate is not visible due to the volume of water.

(b) To clear fallen trees from the roadway

(c) To provide barricades for flooded roadways.

(d) To provide sandbags, at the request of the police to divert the flow of water.

(e) Whenever the Watch Commander deems it necessary.

425.2.2 NOTIFICATION
The Watch Commander will notify the On Call Commander of a flooding condition. The Watch Commander should be able to explain the extent of the problem, what measures have been taken to address the problem, and what additional matters still need to be addressed. This can and may include the calling in of additional personnel. If additional personnel are needed.
Watch Commanders are not obligated to seek permission prior to addressing this need. On Call Commanders are responsible for notifying the Chief of Police of flooding.

The Emergency Operations Center (EOC) may be activated by the Watch Commander or Command personnel in the event of flooding, depending upon the situation and severity of the flooding.

425.2.3 ROAD CLOSURE
If a roadway becomes flooded and the amount of water covering the roadway creates a hazard, then the roadway must be closed. The officer or other police employee will be responsible for maintaining the road closure and directing traffic away from the hazard until personnel from the Public Service Center arrive with adequate barricades. If the flooding conditions throughout the city are so extensive Public Service Center Personnel are not available; the task of obtaining barricades may fall upon the officer.

425.2.4 EVACUATION
If someone not capable of leaving their home without assistance is exposed to flooding conditions, the immediate needs of the individual will be assessed. If this requires evacuation, then it will be the responsibility of the officer, or Watch Commander to facilitate this process in a timely and safe manner.

Dispatchers will notify the Watch Commander of calls received requesting evacuation or instances in which a need for evacuation is reasonably foreseeable.

Residents may request assistance with moving property. This may not be feasible given existing conditions and demands on time. The Watch Commander is responsible for evaluating whether or not this type of assistance is rendered. If assistance is not rendered it is the responsibility of the Watch Commander or officer to provide the resident or community member with an explanation.
Department Rifles

426.1 PURPOSE AND SCOPE
To effectively address the increasing level of firepower and body armor utilized by criminal suspects, the Pleasant Hill Police Department will issue agency approved rifles to qualified officers as an additional and more immediate tactical resource. Officers are expected to carry their assigned rifles while on-duty.

426.2 DEPARTMENT RIFLE

426.2.1 DEFINITION
A department rifle is an authorized weapon which is owned by the agency, and made available to properly trained and qualified officers as a supplemental resource to their duty handgun or shotgun for deployment in specific circumstances. No personally owned rifles may be carried for duty assignments unless preapproved in writing by the Chief of Police.

426.3 SPECIFICATIONS
The only authorized patrol rifle is one which is owned and issued by the department. Rifles will be equipped with factory front and rear (open) sights, department issued optic, light, vertical grip, a sling, and three 30 round magazines. Any other sighting systems, accessories, or modifications must be approved by an Armorer and the Patrol Division Commander.

426.3.1 RIFLE AMMUNITION
Department issued ammunition is the only ammunition authorized for the patrol rifles.

426.4 RIFLE MAINTENANCE

(a) Each patrol officer shall be required to field strip and clean their assigned rifle as needed. The primary responsibility for the care and maintenance of the rifle shall fall on the officer to whom it is assigned.

(b) An Armorer shall inspect and service each rifle on a scheduled basis.

(c) Each patrol officer shall be responsible for promptly reporting any damage to, or malfunction of, their assigned rifle.

(d) Each rifle shall be subject to inspection by a supervisor, an Armorer, or firearms instructor at any time.

426.5 TRAINING
Officers shall not carry or use a department rifle unless they have successfully completed agency approved training with a qualified rifle instructor. Officers shall thereafter be required to successfully complete regularly scheduled training and qualifications conducted by a POST certified patrol rifle instructor.
Department Rifles

Any officer who fails to qualify or who fails to attend two or more department sanctioned training/qualification sessions within a calendar year will not be authorized to carry their assigned rifle until they have completed additional training and are qualified by a POST certified patrol rifle instructor.

426.6 DEPLOYMENT OF THE DEPARTMENT RIFLE
Officers may deploy the rifle in any circumstance where the officer can articulate a reasonable expectation that the rifle may be needed. Supervisors may request or prohibit the deployment of the rifle.

The rifle selector switch shall be on "SAFE" during all deployments until the officer deems it necessary to switch the selector to "FIRE".

426.7 DISCHARGE OF THE DEPARTMENT RIFLE
The discharge of the department rifle shall be governed by the Department’s Deadly Force Policy, Policy Manual § 300.

426.8 "PATROL" READY
Any qualified officer carrying a department rifle in the field shall maintain the weapon in "patrol ready" until deployed. A rifle is considered "patrol ready" when it has been inspected by the assigned officer and meets the following conditions:

(a) The rifle safety is ON
(b) There is no round in the chamber
(c) The rifle bolt is forward
(d) There is a fully loaded magazine (30 rounds) in the rifle.
(e) The dust cover is closed
(f) The rifle is secured in the patrol vehicle’s rifle rack or in the trunk vault of unmarked department vehicles.

426.9 RIFLE STORAGE
When not in use, department rifles shall be stored in the officer's assigned department rifle locker. Rifles shall not be stored at home. Prior to securing rifles in the locker, officers shall ensure the rifle meets the following conditions:

(a) The rifle safety is ON
(b) The magazine is removed from the rifle
(c) The rifle bolt is locked to the rear
(d) There is no round in the chamber
(e) The dust cover is open
426.10  RIFLE TRANSPORTATION
No officer shall transport a department rifle in a vehicle without a department approved rifle rack unless authorized by the Chief of Police or his designee.
Aircraft Accidents

427.1 PURPOSE AND SCOPE
The purpose of this policy is to provide department members with guidelines for handling aircraft accidents.

This policy does not supersede, and is supplementary to, applicable portions of the Crime and Disaster Scene Integrity, Emergency Management Plan and Hazardous Material Response policies.

427.1.1 DEFINITIONS
Definitions related to this policy include:

Aircraft - Any fixed wing aircraft, rotorcraft, balloon, blimp/ dirigible or glider that is capable of carrying a person or any unmanned aerial vehicle other than those intended for non-commercial recreational use.

427.2 POLICY
It is the policy of the Pleasant Hill Police Department to provide an appropriate emergency response to aircraft accidents. This includes emergency medical care and scene management.

427.3 ARRIVAL AT SCENE
Officers or other authorized members tasked with initial scene management should establish an inner and outer perimeter to:

(a) Protect persons and property.
(b) Prevent any disturbance or further damage to the wreckage or debris, except to preserve life or rescue the injured.
(c) Preserve ground scars and marks made by the aircraft.
(d) Manage the admission and access of public safety and medical personnel to the extent necessary to preserve life or to stabilize hazardous materials.
(e) Maintain a record of persons who enter the accident site.
(f) Consider implementation of an Incident Command System (ICS).

427.4 INJURIES AND CASUALTIES
Members should address emergency medical issues and provide care as a first priority.

Those tasked with the supervision of the scene should coordinate with the National Transportation Safety Board (NTSB) before the removal of bodies. If that is not possible, the scene supervisor should ensure documentation of what was disturbed, including switch/control positions and instrument/gauge readings.
Aircraft Accidents

427.5 NOTIFICATIONS
When an aircraft accident is reported to this department, the responding supervisor shall ensure notification is or has been made to NTSB, the Federal Aviation Administration (FAA), and when applicable, the appropriate branch of the military.

Supervisors shall ensure other notifications are made once an aircraft accident has been reported. The notifications will vary depending on the type of accident, extent of injuries or damage, and the type of aircraft involved. When an aircraft accident has occurred, it is generally necessary to notify the following:

(a) Fire department
(b) Appropriate airport tower
(c) Emergency medical services (EMS)

427.6 CONTROLLING ACCESS AND SCENE AUTHORITY
Prior to NTSB arrival, scene access should be limited to authorized personnel from the:

(a) FAA.
(b) Fire department, EMS or other assisting law enforcement agencies.
(c) Coroner.
(d) Air Carrier/Operators investigative teams with NTSB approval.
(e) Appropriate branch of the military, when applicable.
(f) Other emergency services agencies (e.g., hazardous materials teams, biohazard decontamination teams, fuel recovery specialists, explosive ordnance disposal specialists).

The NTSB has primary responsibility for investigating accidents involving civil aircraft. In the case of a military aircraft accident, the appropriate branch of the military will have primary investigation responsibility.

After the NTSB or military representative arrives on-scene, the efforts of this department will shift to a support role for those agencies.

If NTSB or a military representative determines that an aircraft or accident does not qualify under its jurisdiction, the on-scene department supervisor should ensure the accident is still appropriately investigated and documented.

427.7 DANGEROUS MATERIALS
Members should be aware of potentially dangerous materials that might be present. These may include, but are not limited to:

(a) Fuel, chemicals, explosives, biological or radioactive materials and bombs or other ordnance.
(b) Pressure vessels, compressed gas bottles, accumulators and tires.
Aircraft Accidents

(c) Fluids, batteries, flares and igniters.
(d) Evacuation chutes, ballistic parachute systems and composite materials.

427.8 DOCUMENTATION
All aircraft accidents occurring within the City of Pleasant Hill Police shall be documented. At a minimum the documentation should include the date, time and location of the incident; any witness statements, if taken; the names of PHPD members deployed to assist; other City resources that were utilized; and cross reference information to other investigating agencies. Suspected criminal activity should be documented on the appropriate crime report.

427.8.1 WRECKAGE
When reasonably safe, members should:
(a) Obtain the aircraft registration number (N number) and note the type of aircraft.
(b) Attempt to ascertain the number of casualties.
(c) Obtain photographs or video of the overall wreckage, including the cockpit and damage, starting at the initial point of impact, if possible, and any ground scars or marks made by the aircraft.
1. Military aircraft may contain classified equipment and therefore shall not be photographed unless authorized by a military commanding officer (18 USC § 795).
(d) Secure, if requested by the lead authority, any electronic data or video recorders from the aircraft that became dislodged or cell phones or other recording devices that are part of the wreckage.
(e) Acquire copies of any recordings from security cameras that may have captured the incident.

427.8.2 WITNESSES
Members tasked with contacting witnesses should obtain:
(a) The location of the witness at the time of his/her observation relative to the accident site.
(b) A detailed description of what was observed or heard.
(c) Any photographs or recordings of the accident witnesses may be willing to voluntarily surrender.
(d) The names of all persons reporting the accident, even if not yet interviewed.
(e) Any audio recordings of reports to 9-1-1 regarding the accident and dispatch records.

427.9 MEDIA RELATIONS
The Press Information Officer (PIO) should coordinate a response to the media, including access issues, road closures, detours and any safety information that is pertinent to the surrounding community. Any release of information regarding details of the accident itself should
Aircraft Accidents

be coordinated with the NTSB or other authority who may have assumed responsibility for the investigation.

Depending on the type of aircraft, the airline or the military may be responsible for family notifications and the release of victims’ names. The PIO should coordinate with other involved entities before the release of information.
Field Training Officer Program

428.1 PURPOSE AND SCOPE

The Field Training Officer Program is intended to provide a standardized program to facilitate the officer’s transition from the academic setting to the actual performance of general law enforcement duties of the Pleasant Hill Police Department.

It is the policy of this department to assign all new police officers to a structured Field Training Officer Program that is designed to prepare the new officer to perform in a patrol assignment, and possessing all skills needed to operate in a safe, productive and professional manner. Refer to the separate Field Training Manual for further information.
Obtaining Air Support

429.1 PURPOSE AND SCOPE
The use of a police helicopter can be invaluable in certain situations. This policy specifies potential situations where the use of a helicopter may be requested and the responsibilities for making a request.

429.2 REQUEST FOR HELICOPTER ASSISTANCE
If a supervisor or officer in charge of an incident determines that the use of a helicopter would be beneficial, a request to obtain helicopter assistance may be made.

429.2.1 REQUEST FOR ASSISTANCE FROM ANOTHER AGENCY
After consideration and approval of the request for a helicopter, the Watch Commander, or his/her designee, will call the closest agency having helicopter support available. The Watch Commander on duty will apprise that agency of the specific details of the incident prompting the request.

429.2.2 CIRCUMSTANCES UNDER WHICH AID MAY BE REQUESTED
Police helicopters may be requested under any of the following conditions:

(a) When the helicopter is activated under existing mutual aid agreements
(b) Whenever the safety of law enforcement personnel is in jeopardy and the presence of the helicopters may reduce such hazard
(c) When the use of the helicopters will aid in the capture of a suspected fleeing felon whose continued freedom represents an ongoing threat to the community
(d) When a helicopter is needed to locate a person who has strayed or is lost and whose continued absence constitutes a serious health or safety hazard
(e) Vehicle pursuits

While it is recognized that the availability of helicopter support will generally provide valuable assistance to ground personnel, the presence of a helicopter will rarely replace the need for officers on the ground.
Detentions And Photographing Detainees

430.1 PURPOSE AND SCOPE
The purpose of this policy is to establish guidelines for conducting field interviews (FI) and pat-down searches, and the taking and retention of photographs of persons detained in the field but not arrested. Due to a variety of situations confronting the officer, the decision to FI or photograph a field detainee shall be left to the discretion of the involved officer based on the totality of the circumstances available to them at the time of the detention.

430.2 DEFINITIONS
**Detention** - Occurs when an officer intentionally, through words, actions or physical force causes an individual to reasonably believe he/she is being required to restrict his/her movement. Detentions also occur when an officer actually restrains a person’s freedom of movement.

**Consensual Encounter** - Occurs when an officer contacts an individual but does not create a detention through words, actions or other means. In other words, a reasonable individual would believe that his/her contact with the officer is voluntary.

**Field Interview** - The brief detainment of an individual, whether on foot or in a vehicle, based on reasonable suspicion for the purposes of determining the individual's identity and resolving the officer's suspicions.

**Field Photographs** - Field photographs are defined as posed photographs taken of a person during a contact, detention, or arrest in the field. Undercover surveillance photographs of an individual and recordings captured by the normal operation of a Mobile Audio Video (MAV) system when persons are not posed for the purpose of photographing are not considered field photographs.

**Pat-Down Search** - This type of search is used by officers in the field to check an individual for weapons. It involves a thorough patting down of clothing to locate any weapons or dangerous items that could pose a danger to the officer, the detainee, or others.

**Reasonable Suspicion** - Occurs when, under the totality of the circumstances, an officer has articulable facts that criminal activity may be afoot and a particular person is connected with that possible criminal activity.

430.3 FIELD INTERVIEWS
Officers may stop individuals for the purpose of conducting an FI where reasonable suspicion is present. In justifying the stop, the officer should be able to point to specific facts which, when taken together with rational inferences, reasonably warrant the stop. Such facts include, but are not limited to, the following:

(a) The appearance or demeanor of an individual suggests that he/she is part of a criminal enterprise or is engaged in a criminal act.
Detentions And Photographing Detainees

(b) The actions of the suspect suggest that he/she is engaged in a criminal activity.

(c) The hour of day or night is inappropriate for the suspect's presence in the area.

(d) The suspect's presence in the particular area is suspicious.

(e) The suspect is carrying a suspicious object.

(f) The suspect's clothing bulges in a manner that suggests he/she is carrying a weapon.

(g) The suspect is located in proximate time and place to an alleged crime.

(h) The officer has knowledge of the suspect's prior criminal record or involvement in criminal activity.

430.3.1 INITIATING A FIELD INTERVIEW
An officer may initiate the stop of a person when there is articulable, reasonable suspicion to do so. A person however, should not be detained longer than is reasonably necessary to resolve the officer's suspicions.

Nothing in this policy is intended to discourage consensual contacts. Frequent and random casual contacts with consenting individuals are encouraged by the Pleasant Hill Police Department to strengthen our community involvement, community awareness and problem identification.

430.3.2 WITNESS IDENTIFICATION AND INTERVIEWS
Because potential witnesses to an incident may become unavailable or the integrity of their statements compromised with the passage of time, officers should, when warranted by the seriousness of the case, take reasonable steps to promptly coordinate with an on-scene supervisor and/or criminal investigators to utilize available personnel for the following:

(a) Identify all persons present at the scene and in the immediate area.
   1. When feasible, a recorded statement should be obtained from those persons who claim not to have witnessed the incident but who were present at the time it occurred.
   2. Any potential witness who is unwilling or unable to remain available for a formal interview should not be detained absent reasonable suspicion to detain or probable cause to arrest. Without detaining the individual for the sole purpose of identification, officers should attempt to identify the witness prior to his/her departure.

(b) Witnesses who are willing to provide a formal interview should be asked to meet at a suitable location where criminal investigators may obtain a recorded statement. Such witnesses, if willing, may be transported by department personnel.
   1. A written, verbal or recorded statement of consent should be obtained prior to transporting a witness in a department vehicle. When the witness is a minor,
Detentions And Photographing Detainees

consent should be obtained from the parent or guardian, if available, prior to transportation.

430.4 PAT-DOWN SEARCHES
A pat-down search of a detained subject may be conducted whenever an officer reasonably believes that the person may possess an object that can be utilized as an offensive weapon or whenever the officer has a reasonable fear for his/her own safety or the safety of others. Circumstances that may establish justification for performing a pat-down search include, but are not limited to the following:

(a) The type of crime suspected, particularly in crimes of violence where the use or threat of deadly weapons is involved.

(b) Where more than one suspect must be handled by a single officer.

(c) The hour of the day and the location or neighborhood where the stop takes place.

(d) Prior knowledge of the suspect's use of force and/or propensity to carry deadly weapons.

(e) The appearance and demeanor of the suspect.

(f) Visual indications which suggest that the suspect is carrying a firearm or other weapon.

(g) The age and gender of the suspect.

Whenever possible, pat-down searches should be performed by officers of the same gender.

430.5 FIELD PHOTOGRAPHS
Before photographing any field detainee, the officer shall carefully consider, among other things, the factors listed below.

430.5.1 FIELD PHOTOGRAPHS TAKEN WITH CONSENT
Field photographs may be taken when the subject of the photograph knowingly and voluntarily gives consent. When taking a consensual photograph, the officer should have the individual read and sign the appropriate form accompanying the photograph.

430.5.2 FIELD PHOTOGRAPHS TAKEN WITHOUT CONSENT
Field photographs may be taken without consent only if they are taken during a detention that is based upon reasonable suspicion of criminal activity, and the photograph serves a legitimate law enforcement purpose related to the detention. Mere knowledge or suspicion of gang membership or affiliation is not a sufficient justification for taking a photograph without consent. The officer must be able to articulate facts that reasonably indicate that the subject was involved in or was about to become involved in criminal conduct.

If, prior to taking a photograph, the officer’s reasonable suspicion of criminal activity has been dispelled, the detention must cease and the photograph should not be taken.
Detentions And Photographing Detainees

All field photographs and related reports shall be submitted to a supervisor and retained in compliance with this policy.

430.6 SUPERVISOR RESPONSIBILITY
While it is recognized that field photographs often become valuable investigative tools, supervisors should monitor such practices in view of the above listed considerations. This is not to imply that supervisor approval is required before each photograph. Access to field photographs shall be strictly limited to law enforcement purposes.

430.7 DISPOSITION OF PHOTOGRAPHS
All detainee photographs must be adequately labeled and submitted to the Watch Commander or supervisor with either an associated FI card, incident report, or other memorandum explaining the nature of the contact. If an individual is photographed as a suspect in a particular crime, any associated report numbers should be noted on the photograph.

After reviewing the photograph and related material, the Watch Commander shall forward it to the Support Services Division or, when appropriate, directly to the case detective for further processing.

When a photograph is taken in association with a particular case, the detective may use such photograph in a photo lineup. Thereafter, the individual photograph should be retained as a part of the case file. All other photographs will be kept in the Investigations Division in a separate non-booking photograph file in alphabetical order.

430.7.1 PURGING THE FIELD PHOTO FILE
The Investigations Division Commander or designee will be responsible for periodically purging and destroying all such photographs more than one year old. Photographs that continue to serve a legitimate law enforcement purpose may be retained longer than one year provided that a notation of that fact is added to the file for each additional year that they are retained. Access to the FI photo file shall be strictly limited to law enforcement purposes.

430.8 PHOTO REVIEW POLICY
Any person who has been the subject of a field photograph or an FI by this agency during any contact other than an arrest may file a written request within 30 days of the contact requesting a review of the status of the photograph/FI. The request shall be directed to the office of the Chief of Police who will ensure that the status of the photograph or FI is properly reviewed according to this policy as described below. Upon a verbal request, the Department will send a request form to the requesting party along with a copy of this policy.

430.8.1 REVIEW PROCESS
Upon receipt of such a written request, the Chief of Police or his or her designee will permit the individual to appear in person (any minor must be accompanied by their parent or legal guardian) for a review of the status of the photograph/FI.
Detentions And Photographing Detainees

Such a meeting will generally be scheduled during regular business hours within 30 days of the receipt of the written request. An extension of the 30-day limit may be made either upon the mutual convenience of the parties or if, at the discretion of the Chief of Police, there appears to be an ongoing legitimate law enforcement interest which warrants a delay. If the delay could jeopardize an ongoing investigation, nothing in this policy shall require the Chief of Police to disclose the reason(s) for the delay.

A meeting for the review of the status of any non-arrest photograph/FI is not intended to be a formal hearing, but simply an informal opportunity for the individual to meet with the Chief of Police or his/her designee to discuss the matter.

After carefully considering the information available, the Chief of Police or designee will determine, generally within 30 days of the original meeting, whether the photograph/FI was obtained in accordance with existing law and Pleasant Hill Police Department policy and, even if properly obtained, then whether there is any ongoing legitimate law enforcement interest in retaining the photograph/FI.

If the Chief of Police or his/her designee determines that the photograph/FI was obtained in accordance with existing law and department policy and that there is an ongoing legitimate law enforcement interest in retaining the non-arrest photograph, the photograph/FI shall be retained according to this policy and applicable law.

If the Chief of Police or his/her designee determines that the original legitimate law enforcement interest in retaining a non-arrest photograph no longer exists or that it was obtained in violation of existing law or Pleasant Hill Police Department policy, the original photograph will be destroyed or returned to the person photographed, if requested. All other associated reports or documents, however, will be retained according to department policy and applicable law.

If the Chief of Police or his/her designee determines that the original legitimate law enforcement interest in retaining a non-arrest FI no longer exists or that the original FI was not obtained in accordance with established law or Pleasant Hill Police Department policy, the original FI may only be destroyed upon the execution of a full and complete waiver of liability by the individual (and guardian if a minor) arising out of that field contact.

If the Chief of Police or his/her designee determines that any involved Pleasant Hill Police Department personnel violated existing law or department policy, the Chief of Police or designee shall initiate a separate internal investigation which may result in additional training, discipline or other appropriate action for the involved employees.

The person photographed/FI'd will be informed in writing within 30 days of the Chief of Police’s determination whether or not the photograph/FI will be retained. This does not entitle any person to any discovery or access to any law enforcement records not otherwise authorized by law.
Watch Commanders

431.1 PURPOSE AND SCOPE
Each patrol shift must be directed by supervisors who are capable of making decisions and communicating in a manner consistent with departmental policies, procedures, practices, functions and objectives. To accomplish this goal, a Sergeant heads each watch.

431.2 DESIGNATION AS ACTING WATCH COMMANDER
When a Sergeant is unavailable for duty as Watch Commander, the corporal shall be assigned as acting Watch Commander.

This policy does not preclude selection under extraordinary circumstances of an officer to serve as an acting Watch Commander; such a selection will be made by Department Command staff only.
Mobile Data System Use

432.1 PURPOSE AND SCOPE
The Mobile Data Terminal (MDT) accesses confidential records from the State of California, Department of Justice and Department of Motor Vehicles databases. Employees using the MDT shall comply with all appropriate federal and state rules and regulations.

432.2 MDS USE
The MDT shall be used for official police communications only. Messages that are of a sexual, racist, or offensive nature, or otherwise critical of any member of the Department are strictly forbidden. MDT use is also subject to the City Policy on Technology Use.

Messages may be reviewed by supervisors at anytime without prior notification. Employees generating or transmitting messages not in compliance with this policy are subject to discipline.

All calls dispatched to patrol units should be communicated by voice and MDT unless otherwise authorized by the Watch Commander.

432.2.1 USE WHILE DRIVING
Use of the MDS by the vehicle operator should generally be limited to times when the vehicle is stopped. When the vehicle is in motion, the operator should only attempt to read messages that are likely to contain information that is required for immediate enforcement, investigative or safety needs.

Short transmissions, such as a license plate check, are permitted if it reasonably appears that it can be done safely. Operators will not attempt to send or review lengthy messages while the vehicle is in motion.

432.2.2 DOCUMENTATION OF ACTIVITY
MDT’s and voice transmissions are used to record the officer’s daily activity. To ensure the most accurate recording of these activities, the following are required:

(a) All contacts or activity shall be documented at the time of the contact;
(b) Whenever the activity or contact is initiated by voice, it shall be entered into the Computer Aided Dispatch (CAD) system by a dispatcher;
(c) Whenever the activity or contact is not initiated by voice, the officer shall record it on the MDT.

432.2.3 STATUS CHANGES
All changes in status (e.g., arrival at scene, meal periods, in service) will be transmitted either verbally over the police radio or through the MDS system. Dispatchers will enter status changes if the officer does not use the MDS for status changes.
Mobile Data System Use

Officers responding to in-progress calls shall advise changes in status verbally over the radio to assist other officers responding to the same incident.

Other changes in status may be entered by depressing the appropriate keys on the MDS's.

432.2.4 EMERGENCY ACTIVATION OF MDS
If the emergency button is depressed on the MDS, the dispatcher will call the unit and ask if Code-4. If there is no emergency, then he/she should answer "Code-4" and all units will resume their normal activity. If there is no response or the officer answers in some other way, the dispatcher shall proceed as follows:

(a) If the unit is not on a call, send available units to assist in locating the unit transmitting the emergency. Whenever a location is known, immediately dispatch the nearest available unit Code-3

(b) Notify the Watch Commander of the incident without delay

Units not responding to the emergency shall refrain from transmitting on the radio until there is a Code-4, unless they are themselves handling an emergency

432.3 MDS CONSIDERATIONS

432.3.1 NON-FUNCTIONING MDS
Whenever possible, officers will not use units with malfunctioning MDT's. Whenever officers must drive a unit in which the MDT is not working, they shall notify Dispatch. It shall be responsibility of Dispatch to record all information that will then be transmitted verbally over the police radio.

432.3.2 BOMB CALLS
When investigating reports of possible bombs, officers shall consider turning off their MDS's. Operating the MDS may cause some devices to detonate.
Portable Audio/Video Recorders

433.1 PURPOSE AND SCOPE
Members of the Pleasant Hill Police Department are provided with body worn cameras (BWC’s) primarily for use in capturing audio and video recordings of interactions with the public to provide an additional means of collecting evidence in criminal and administrative investigations. Additionally, studies have shown that police (BWC’s) reduce citizen complaints against officers, decrease use of force by officers, and improve public trust.

This policy provides guidelines for the use of portable audio/video recording devices by members of this department while in the performance of their duties. Portable audio/video recording devices include all recording systems whether body-worn, hand held or integrated into portable equipment.

433.2 POLICY
The Pleasant Hill Police Department will provide members with BWC devices for use during the performance of their duties. The use of recorders is intended to enhance the mission of the Department by accurately capturing contacts between members of the Department and the public.

This policy does not apply to lawful surreptitious audio/video recording or the interception of communications for authorized investigative purposes (Penal Code § 633). Personnel are strictly prohibited from using privately owned video recording devices to access recorded data on department issued audio video cameras for personal use, and from uploading recorded data onto public or social media. Personnel are also prohibited from using privately owned video recording devices in lieu of, or in conjunction with, a department issued BWC while on duty.

Sworn personnel who have been issued department BWC’s and whose primary duty assignment involves the wearing of a police uniform, and have frequent contacts with the public, are required to wear and use a BWC when in service. BWC devices may also be deployed by civilian personnel working a special event or assignment and personnel assigned to the Investigations unit.

BWC training is mandatory for all personnel who are required to use or who otherwise may become involved with BWC devices before these devices are deployed for official use. In addition to personnel who are assigned BWC devices, training is also required for supervisors whose officers wear BWC devices, the Support Services Supervisor, the Evidence CSO, training staff, and the Professional Standards Sergeant. Periodic refresher training should be offered on the use and policy of BWC devices. Training may be provided in the form of briefing training. Training should generally include:

(a) All practices and protocols of department BWC policy;
(b) Relevant state laws governing consent, evidence, privacy, and public disclosure of digital recordings;
(c) Procedures for operating the equipment safely and effectively
(d) Procedures for downloading and tagging recorded data;
Portable Audio/Video Recorders

(e) Procedures for preparing and presenting digital evidence in court;

(f) Procedures for documenting and reporting any malfunctioning device or supporting systems.

Additionally, whenever possible BWC’s should also be included in regular scenario based training to promote positive muscle memory for the activation and deactivation of the BWC.

433.3 PRIVACY EXPECTATION

All recordings made by members acting in their official capacity shall remain the property of the Department regardless of whether those recordings were made with department-issued or personally owned recorders. Members shall have no expectation of privacy or ownership interest in the content of these recordings.

Recordings shall not be made of other personnel during routine, informal, non-enforcement related activities unless recording is required pursuant to a court order or is authorized as part of an administrative or criminal investigation. Other prohibited recordings include the following:

(a) Places where a reasonable expectation of privacy exists, such as locker rooms, restrooms, or supervisory/management offices;

(b) Strip searches;

(c) Conversations with outside agency personnel that involve case tactics or strategy.

In the event of an unintentional and inappropriate activation of the BWC where the resulting recording is not evidence in a criminal case or administrative investigation, and when the recording may unreasonably infringe on personal privacy concerns or rights, the recording employee may request that the video file be deleted by submitting a written request to delete the file with the recording employee’s supervisor. Such request shall contain the specific reasons for recommending deletion of a recording. A command officer at the rank of lieutenant or above shall review the file and approve or deny the request. Documentation of the request and disposition shall be retained in compliance with the City’s retention policy.

433.4 MEMBER RESPONSIBILITIES

Prior to going into service, each uniformed member equipped with a BWC issued by the Department will be responsible for making sure that the recorder is in good working order. If the recorder is not in working order or malfunctions at any time, the member shall promptly report the failure to his/her supervisor and obtain a functioning device when possible.

Uniformed members should wear the recorder in a conspicuous manner or otherwise notify persons that they are being recorded, whenever possible. BWC placement must provide a forward-looking view on the wearer. The BWC can be situated on the chest, shoulder, collar, or eye
glasses of the wearer with due consideration for field of vision, comfort, functionality, ease of use, and the type of BWC being used.

Any member assigned to a non-uniformed position who has been issued a BWC may wear the device at any time he/she believes that the BWC may be useful.

When using a BWC, the assigned member shall record his/her name, employee identification number, and the current date and time at the beginning and the end of the shift or other period of use, regardless of whether any activity was recorded. This procedure is not required when the recording device and related software captures the user’s unique identification and the date and time of each recording.

Personnel should indicate the existence of a recording in any report, citation, or other official record of the contact, including any instance where the recorder malfunctioned or the member deactivated the recording. Personnel should include the reason for any deactivation. Personnel are required to document the existence of any recordings in any crime report where an arrest is made or prosecution is anticipated. Recording official police contacts and duties shall be the rule and not the exception. If circumstances prevent an officer from recording any activity, whole or in part, described in this policy the department member must articulate the reasoning for not recording the incident in any subsequent report. It is recognized that times may arise when circumstances justify not recording. These may include:

(a) When conditions make it unsafe or impossible to activate the BWC;

(b) In the exercise of discretion, according to policy, a decision is made not to record because doing so would be detrimental to other department priorities (e.g. protecting privacy rights, preserving community relations, or facilitating intelligence gathering);

(c) When the BWC malfunctions or otherwise fails to capture the event.

433.5 ACTIVATION OF THE AUDIO RECORDER

This policy is not intended to describe every possible situation in which the BWC should be used, although there are many situations where its use is appropriate. Whenever possible members should activate the recorder any time the member believes it would be appropriate or valuable to record an incident.

Whenever possible the BWC should be activated in any of the following situations:

(a) At the scene of all calls for service;

(b) Vehicle and foot pursuits;

(c) Search warrants and probation searches;

(d) All enforcement and investigative contacts including, field interviews (FI), citizen contacts (consensual encounters) and arrests;

(e) Traffic stops including, but not limited to, traffic violations, stranded motorist assistance and all crime interdiction stops;
Portable Audio/Video Recorders

(f) Self-initiated activity in which a member would normally notify dispatch;

(g) Any other contact with the public that becomes adversarial after the initial contact in a situation that would not otherwise require recording;

(h) K9 deployments (e.g. K9 handler, cover officers, perimeter officers, etc.)

(i) Any other law enforcement duty where citizen contact is not made, but the activity may reasonably become a situation where the video recording may be evidence in a criminal case or useful in a criminal or administrative investigation, e.g. vehicle impound or building searches.

In general, department members should not activate the BWC and/or use caution when entering a public locker room, changing room, doctor’s or lawyer’s office, hospital, or other place where individuals unrelated to the investigation are present and would have a heightened expectation of privacy. Officer discretion is allowed in situations where officers are entering the homes of crime victims where confrontation or enforcement action is not anticipated.

Members should remain sensitive to the dignity of all individuals being recorded and exercise sound discretion to respect privacy by discontinuing recording whenever it reasonably appears to the member that such privacy may outweigh any legitimate law enforcement interest in recording. Requests by members of the public to stop recording should be considered using this same criterion. This would include situations where citizens want to remain anonymous when reporting crimes that are occurring in their neighborhoods. Recording should resume when privacy is no longer at issue unless the circumstances no longer fit the criteria for recording.

Notwithstanding the aforementioned criterion, once activated the portable recorder should remain on continuously until direct participation in the incident has been concluded or the situation no longer fits the criteria for activation. As it relates to situations where an arrest is made, “concluded” means when the officer relinquishes the arrestee into a booking facility not including PHPD, releases the arrestee, or turns over the arrestee to a third party. Recording may be stopped during significant periods of inactivity such as report writing or other breaks from direct participation in the incident.

At no time is a member expected to jeopardize his or her safety in order to activate a BWC or change the recording media. However, whenever possible the recorder should be activated in situations described above as soon as practicable.

433.5.1 SURREPTITIOUS USE OF THE PORTABLE RECORDER
Members of the Department may surreptitiously record any conversation during the course of a criminal investigation in which the member reasonably believes that such a recording will be lawful and beneficial to the investigation (Penal Code § 633).

Members shall not surreptitiously record another department member without a court order unless lawfully authorized by the Chief of Police or authorized designee.
**Portable Audio/Video Recorders**

433.5.2 CESSATION OF RECORDING
Once activated, the portable recorder should remain on continuously until the member reasonably believes that his/her direct participation in the incident is complete or the situation no longer fits the criteria for activation. Recording may be stopped during significant periods of inactivity such as report writing or other breaks from direct participation in the incident.

Members shall cease audio recording whenever necessary to ensure conversations are not recorded between a person in custody and the person's attorney, religious advisor or physician, unless there is explicit consent from all parties to the conversation (Penal Code § 636).

433.5.3 EXPLOSIVE DEVICE
Many portable recorders, including body-worn cameras and audio/video transmitters, emit radio waves that could trigger an explosive device. Therefore, these devices should not be used where an explosive device may be present.

433.6 PROHIBITED USE OF PORTABLE RECORDERs
Recordings and copies of recordings are for official use only. Members are prohibited from using department-issued portable recorders and recording media for personal use and are prohibited from making personal copies of any recordings created while on-duty or while acting in their official capacity. This includes recordings from BWC’s, telephone recordings, 911 recordings, audio recordings, and dispatch radio tapes.

Members are also prohibited from retaining recordings of activities or information obtained while on-duty, whether the recording was created with department-issued or personally owned recorders. Members shall not edit, alter, erase, duplicate, or distribute such recordings, except for authorized legitimate department business purposes and then only upon having received prior written authorization from the Chief of Police or his or her designee or in accordance with this policy. All such recordings shall be retained at the Department.

Members are prohibited from using personally owned recording devices while on-duty without the express consent of the Chief of Police. Request will be made to the Chief via the chain of command in the form of a memorandum. Any member who uses a personally owned recorder for department-related activities shall comply with the provisions of this policy, including retention and release requirements.

Recordings shall not be used by any member of the department for the purpose of embarrassment, intimidation or ridicule.

Violation of this policy may result in disciplinary action.

433.7 DOWNLOADING AND RETENTION OF RECORDINGS
Any time a member of the department records any portion of a contact in a criminal case, the member shall record the related case number and transfer the file in accordance with current procedure for storing digital files and document the existence of the recording in the related case report. All recordings in a criminal investigation constitute evidence and shall be preserved. In
situations where criminal filing of charges with the District Attorney are anticipated, the officer shall adhere to filing standards and guidelines established by the District Attorney’s Office. Downloading for all on-duty recordings should occur at the end of the member’s shift, or any time the storage capacity is nearing its limit. Whenever possible, officers will be responsible for creating copies of their respective videos.

Notwithstanding the foregoing, the member’s supervisor will be responsible for downloading all recordings involving the use of force and/or any other serious incident by the member. This will be completed prior to the end of the shift when the use of force or serious incident has occurred. This can be facilitated by the supervisor ensuring the BWC has been docked to complete the downloading process.

Any time a member reasonably believes a recorded contact may be beneficial in a non-criminal matter (e.g., a hostile contact), the member should promptly notify a supervisor of the existence of the recording.

Supervisors and Division Commanders will review BWC recordings as part of review process when completing Use of Force Reports. The Division Commander will retain a copy of the recording in compliance with the City’s retention policy pertaining to Use of Force Reports.

For each incident recorded by a BWC, the individual downloading the recording shall ensure the recording is annotated with the corresponding CAD incident number to identify the type of event and other relevant information. Contacts without incident numbers shall be identified by date and category as described in Policy 344 of this policy manual.

433.8 REVIEW OF RECORDINGS

When preparing written reports, department members may review their recordings as a resource. However, members should not use the fact that a recording was made as a reason to write a less detailed report. Officers are allowed access to review all relevant recordings in preparing for court testimony and consultation with the District Attorney or City Attorney.

Supervisors are authorized to review relevant recordings any time they are investigating alleged misconduct, reports of meritorious conduct, for tactical review of an incident, or whenever such recordings would be beneficial in addressing a specific performance issue; however, BWC recordings shall not be reviewed solely or for the purposes of general performance review, for routine preparation of performance reports, or to discover policy violations. When viewing recordings for these purposes supervisors will notify the appropriate Division Lieutenant. The lieutenant will document each viewing and indicate the purpose the recording was viewed. It is also the responsibility of the supervisor to ensure that members are using the BWC and making recordings in compliance with this policy.

Recorded files may also be reviewed:

(a) Upon approval of a supervisor, by any member of the Department who is conducting an official investigation, such as a personnel complaint, administrative investigation or criminal investigation.
Portable Audio/Video Recorders

(b) Pursuant to lawful process or by court personnel who are otherwise authorized to review evidence in a related case.

c) By media personnel with permission of the Chief of Police

d) In compliance with a public records request, if permitted, and in accordance with the Records Maintenance and Release Policy.

Any viewing of video related to an officer related protocol incident shall occur in accordance with the Contra Costa County Law Enforcement-Involved Fatal Incident (LEIFI) Manual.

Investigators should be mindful that audio/video recordings have limitations and may depict events differently than the events recalled by involved officers. If an investigator shows any audio/video recording to an involved officer after the initial interview, the investigator should admonish that officer about the limitations of audio/visual recordings. That admonishment will be in accordance with the LEIFI Manual.

The BWC of actor officers involved in a LEIFI shall surrender their devices to a supervisor as soon as it is practical to do so. Actor officers are not to download their footage of the incident. It will be the responsibility of the investigating team supervisor to coordinate with the involved officers’ supervisor to obtain footage of the incident.

433.9 COORDINATOR

The Operations Commander will coordinate the use and maintenance of portable audio/video recording devices and the storage of recordings, including:

(a) Establishing a system for downloading, storing and security of recordings.

(b) Designating persons responsible for downloading recorded data.

(c) Establishing a maintenance system to ensure availability of operable portable audio/video recording devices.

(d) Establishing a system for tagging and categorizing data according to the type of incident captured.

(e) Establishing a system to prevent tampering, deleting and copying recordings and ensure chain of custody integrity.

(f) Working with counsel to ensure an appropriate retention schedule is being applied to recordings and associated documentation.

(g) Maintaining logs of access and deletions of recordings.

433.10 RETENTION OF RECORDINGS

Unless a longer minimum retention period is required below or by law, BWC recordings relating to incidents where criminal charges are filed shall be retained for at least one year provided the following occurs:

(a) The matter is resolved, or;

(b) The defendant has been released from sentenced custody, or;
Portable Audio/Video Recorders

(c) The appeal is final.

BWC recordings related to potential criminal charges that are not filed shall be retained for one year after the statute of limitations has expired. BWC recordings related to administrative investigations or personnel complaints (whether internally or externally generated) shall be retained in accordance with Penal Code §832.5, or until the matter has been resolved, whichever is later.

BWC recordings involving the use of force or an officer involved shooting or of any incident that leads to the detention or arrest of an individual shall be retained for at least two years after the incident.

BWC recordings relevant to a formal complaints against a member or the Department shall be retained for at least five years.

All other recordings shall be retained for a period consistent with the requirements of the department’s records retention schedule but in no event for a period less than one year.

Records or logs of access and deletion of data from BWC’s shall be retained permanently.

433.10.1 RELEASE OF AUDIO/VIDEO RECORDINGS

Recordings made using portable recording devices, including BWC’s, pursuant to this policy are department records and may only be released as provided in the Release of Records and Information Policy or for other authorized legitimate department business purposes. All recordings should be reviewed by the Custodian of Records prior to public release. Generally, recordings associated with open and active criminal investigations, and or recordings associated with personnel investigations are not subject to public disclosure.

Due to the heightened privacy concerns associated with a video recording, the department will make all reasonable and lawful effort to preserve the privacy of community members and department employees. Prior to permitting access, review, or copying of any BWC recording, by any non-governmental person or entity, the Department shall review the recording and edit, redact, and/or filter the recording to be reviewed by such third party to protect the privacy and security of the member involved, other Departmental employees, and any member of the public.

Any BWC recording disclosed to the media may be edited to preserve the privacy of individuals unrelated to the case who were captured by the BWC recording when they had a reasonable expectation of privacy. The Chief of Police will make the final decision on all releases of video to the public or media.

433.11 USE OF THIRD-PARTY VENDORS

In order to protect the security and integrity of all BWC data, in dealings with any third-party vendor retained to manage the BWC data storage system, the Department shall consider using:

(a) Experienced and reputable third-party vendors;

(b) Contracts concerning BWC data recordation and retention that govern the vendor relationship and protect the Department’s data;
Portable Audio/Video Recorders

(c) A system that has a built-in audit trail to prevent data tampering and unauthorized access and
(d) A system that permanently retains records or logs access and deletion of data from BWC’s;
(e) A system that has a reliable method for automatically backing up data for storage;
(f) Legal counsel to ensure that the method of data storage meets legal requirements for chain-of-custody concerns; and
(g) A system that includes technical assistance capabilities.
Medical Marijuana

434.1 PURPOSE AND SCOPE
The purpose of this policy is to provide members of this department with guidelines for handling and distinguishing between claims of medical marijuana use under California’s Compassionate Use Act (Health & Safety Code § 11362.5) and criminal narcotics violations.

434.2 ENFORCEMENT
Although federal law does not currently permit possession of marijuana for medical use, California has created a limited defense (i.e. no penalty) for certain qualified individuals possessing small quantities of marijuana for medical use under strict conditions.

(a) Notwithstanding California Medical Marijuana laws:

1. California does not provide any exception for individuals driving under the influence of marijuana. All such cases should be handled with appropriate enforcement action (e.g., Vehicle Code § 23152, et seq.).

2. Medical marijuana may not be smoked outside of a residence within 1000 feet of a school, recreation center, youth center or in a vehicle or boat (Health & Safety Code § 11362.79).

3. No probationer or parolee may possess medical marijuana unless such possession is authorized in writing by court order or parole conditions (Health & Safety Code § 11362.795).

(b) Possession, cultivation and sales of marijuana in quantities beyond that which might reasonably be construed as for personal use should be handled as criminal cases with appropriate enforcement action taken pursuant to Health & Safety Code §§ 11357, 11358 and 11359.

1. The amount of marijuana possessed must be consistent with the medical needs of the qualified patient or person with valid ID card.

2. The quantity and form of marijuana must also be reasonably related to the patient's current medical needs.

   (a) Absent a verifiable doctor’s recommendation to exceed allotted quantities, a qualified patient or primary caregiver may possess no more than eight ounces of dried marijuana per qualified patient, or;

   (b) Maintain no more than six mature, or twelve immature marijuana plants per qualified patient (Health & Safety Code § 11362.77(a)(b)).

(c) In any case involving the possession or cultivation of marijuana, the handling officer should inquire whether the individual is claiming that the marijuana is for medicinal purposes.
Medical Marijuana

(a) If no such claim is made, the officer should proceed with normal enforcement action.

(b) If a claim of medicinal use is made, the officer should proceed as outlined below.

434.3 MEDICINAL USE CLAIMS
In order to qualify for a medicinal marijuana defense, any individual making such a claim must affirmatively establish the following information. If the individual cannot or will not provide all of the required information, the officer should note such fact in any related report and proceed with appropriate enforcement action.

434.3.1 PATIENTS
(a) An individual may establish his/her status as a qualified patient by presenting a current and valid state issued identification card issued by the Department of Health (Health & Safety Code § 11362.735). Such identification cards shall contain the following information:

1. A unique serial number.
2. An expiration date.
3. The name and telephone number of the county health department approving the application.
4. A 24-hour toll-free number for law enforcement to verify the validity of the card (Verification can be checked at www.calmmp.ca.gov).
5. A photograph of the cardholder.

No officer shall refuse to accept a properly issued identification card unless the officer has reasonable cause to believe that the information contained in the card is false or that the card is being used fraudulently (Health & Safety Code § 11362.78).

(b) If the individual does not possess a valid state issued identification card, the individual claiming status as a qualified patient must minimally provide the following information:

1. Satisfactory identification establishing current residency in California.
2. A current and valid medical marijuana ID card from a local governmental agency (e.g., county) or a current and verifiable, written recommendation for marijuana from a California licensed physician.
3. In the absence of a valid identification card, the handling officer should also obtain a written waiver from the involved individual authorizing the release of all related medical records.

434.3.2 PRIMARY CAREGIVERS
Primary caregivers are subject to the following requirements (Health & Safety Code 11362.765):
Medical Marijuana

(a) A primary caregiver is not authorized to use, sell, or possess marijuana for sale.
(b) A primary caregiver must provide sufficient proof that he/she is responsible for the patient’s housing, health and/or safety.
(c) A primary caregiver must provide sufficient proof of personal knowledge of the patient’s medical needs and the details of the attending physician’s recommendation.
(d) Upon proof that a qualified primary caregiver is caring for more than one qualified patient, he/she may aggregate possession and cultivation limits. For example, a primary caregiver caring for three qualified patients may possess 24 ounces (eight ounces per patient) of marijuana (Health & Safety Code § 11362.7(d)(2)).
(e) While qualified patients and primary caregivers may be permitted to collectively or cooperatively associate to cultivate medical marijuana, such individuals must strictly adhere to all non-profit and local business requirements (Health & Safety Code § 11362.775).

434.3.3 CLAIM REQUIREMENTS MET
Once the handling officer is satisfied that the individual making a medicinal marijuana use claim meets the above requirements, the officer should proceed as follows:
(a) A small sample of the involved marijuana should be seized and booked into evidence.
(b) Any allowable amount of marijuana left in possession of a qualified individual for the limited purpose of medicinal use should be described and noted in the related report.
(c) If the handling officer has already taken the individual into custody (vs. detention only) prior to establishing qualification for a potential medicinal use defense and there are no other criminal charges pending or being investigated, the individual should be released pursuant to Penal Code § 849(b).
(d) If the individual remains in custody on any charge(s), the individual will not be permitted to use marijuana while being detained or held in jail or other law enforcement facility (Health & Safety Code § 11362.785(c)).
(e) The handling officer shall complete a timely report which will be submitted to the District Attorney with all of the aforementioned documentation for a determination of whether the medicinal marijuana defense will apply.

434.3.4 RETURN OF MARIJUANA
Regardless of the prosecution status or disposition of any related criminal case, this department will not be responsible for the return of any marijuana seized as evidence except as may be required by a valid court order (Cal. Health and Safety Code § 11473.5 and 21 U.S.C. § 885(d)).
Tobacco Products and Juveniles

435.1 PURPOSE AND SCOPE
This policy provides direction to Patrol Division personnel on the enforcement of 308 (b) PC violations.

435.1.1 PROCEDURE
Officers encountering juveniles in possession of tobacco products (violation of 308 (b) PC may employ one of the following options:

(a) Confiscate the tobacco as contraband and reprimand and release the juvenile. An attempt at notifying the juvenile’s parent, guardian, or responsible adult should be made as well.

(b) If the juvenile is encountered on a school campus while school is in session, the tobacco may be seized as contraband and school authorities notified.

(c) Seize the tobacco as contraband and issue the juvenile a citation for 308 (b) PC. The correct citation form is the conventional traffic citation and the juvenile should be cited to Traffic Court. A violation of (308 (b) PC is an infraction violation. An attempt at notifying the juvenile’s parent, guardian, or responsible adult should be made as well.

(d) Tobacco seized as contraband may be destroyed. An event will be drawn and the event synopsis will indicate the tobacco was destroyed. A written report is not required. The violator may also destroy the tobacco upon his or her own volition. In lieu of destruction, the officer must book the tobacco into the property room.
Foot Pursuit Policy

436.1 PURPOSE AND SCOPE

Foot pursuits are inherently dangerous and require common sense, sound tactics and heightened officer safety awareness. This policy sets forth guidelines to assist officers in making the decision to initiate or continue the pursuit of suspects on foot by balancing the objective of apprehending the suspect with the risk of potential injury to the officer, the public or the suspect.

436.1.1 POLICY

It is the policy of this department when deciding to initiate or continue a foot pursuit that officers must continuously balance the objective of apprehending the suspect with the risk and potential for injury to department personnel, the public or the suspect.

Officers are expected to act reasonably, based on the totality of the circumstances. Absent exigent circumstances, the safety of department personnel and the public should be the primary consideration when determining whether a foot pursuit should be initiated or continued. Officers must be mindful that immediate apprehension of a suspect is rarely more important than the safety of the public and department personnel.

436.2 DECISION TO PURSUE

The safety of department members and the public should be the primary consideration when determining whether a foot pursuit should be initiated or continued. Officers must be mindful that immediate apprehension of a suspect is rarely more important than the safety of the public and department members.

Officers may be justified in initiating a foot pursuit of any individual the officer reasonably believes is about to engage in, is engaging in or has engaged in criminal activity. The decision to initiate or continue such a foot pursuit, however, must be continuously re-evaluated in light of the circumstances presented at the time.

Mere flight by a person who is not suspected of criminal activity shall not serve as justification for engaging in an extended foot pursuit without the development of reasonable suspicion regarding the individual’s involvement in criminal activity or being wanted by law enforcement.

Deciding to initiate or continue a foot pursuit is a decision that an officer must make quickly and under unpredictable and dynamic circumstances. It is recognized that foot pursuits may place department members and the public at significant risk. Therefore, no officer or supervisor shall be criticized or disciplined for deciding not to engage in a foot pursuit because of the perceived risk involved.

If circumstances permit, surveillance and containment are generally the safest tactics for apprehending fleeing persons. In deciding whether to initiate or continue a foot pursuit, an officer should continuously consider reasonable alternatives to a foot pursuit based upon the circumstances and resources available, such as:
Foot Pursuit Policy

(a) Containment of the area.
(b) Saturation of the area with law enforcement personnel, including assistance from other agencies.
(c) A canine search.
(d) Thermal imaging or other sensing technology.
(e) Air support.
(f) Apprehension at another time when the identity of the suspect is known or there is information available that would likely allow for later apprehension, and the need to immediately apprehend the suspect does not reasonably appear to outweigh the risk of continuing the foot pursuit.

436.3 GENERAL GUIDELINES
When reasonably practicable, officers should consider alternatives to engaging in or continuing a foot pursuit when:

(a) Directed by a supervisor to terminate the foot pursuit; such an order shall be considered mandatory
(b) The officer is acting alone.
(c) Two or more officers become separated, lose visual contact with one another, or obstacles separate them to the degree that they cannot immediately assist each other should a confrontation take place. In such circumstances, it is generally recommended that a single officer keep the suspect in sight from a safe distance and coordinate the containment effort.
(d) The officer is unsure of his/her location and direction of travel.
(e) The officer is pursuing multiple suspects and it is not reasonable to believe that the officer would be able to control the suspect should a confrontation occur.
(f) The physical condition of the officer renders him/her incapable of controlling the suspect if apprehended.
(g) The officer loses radio contact with the dispatcher or with assisting or backup officers.
(h) The suspect enters a building, structure, confined space, isolated area or dense or difficult terrain, and there are insufficient officers to provide backup and containment. The primary officer should consider discontinuing the foot pursuit and coordinating containment pending the arrival of sufficient resources.
(i) The officer becomes aware of unanticipated or unforeseen circumstances that unreasonably increase the risk to officers or the public.
(j) The officer reasonably believes that the danger to the pursuing officers or public outweighs the objective of immediate apprehension.
Foot Pursuit Policy

(k) The officer loses possession of his/her firearm or other essential equipment.

(l) The officer or a third party is injured during the pursuit, requiring immediate assistance, and there are no other emergency personnel available to render assistance.

(m) The suspect's location is no longer definitely known.

(n) The identity of the suspect is established or other information exists that will allow for the suspect's apprehension at a later time, and it reasonably appears that there is no immediate threat to department members or the public if the suspect is not immediately apprehended.

(o) The officer's ability to safely continue the pursuit is impaired by inclement weather, darkness or other environmental conditions.

436.4 RESPONSIBILITIES IN FOOT PURSUITS

436.4.1 INITIATING OFFICER RESPONSIBILITIES
Unless relieved by another officer or a supervisor, the initiating officer shall be responsible for coordinating the progress of the pursuit. When acting alone and when practicable, the initiating officer should not attempt to overtake and confront the suspect but should attempt to keep the suspect in sight until sufficient officers are present to safely apprehend the suspect.

Early communication of available information from the involved officers is essential so that adequate resources can be coordinated and deployed to bring a foot pursuit to a safe conclusion. Officers initiating a foot pursuit should, at a minimum, broadcast the following information as soon as it becomes practicable and available:

(a) Location and direction of travel

(b) Call sign identifier

(c) Reason for the foot pursuit, such as the crime classification

(d) Number of suspects and description, to include name if known

(e) Whether the suspect is known or believed to be armed with a dangerous weapon

Officers should be mindful that radio transmissions made while running may be difficult to understand and may need to be repeated.

Absent extenuating circumstances, any officer unable to promptly and effectively broadcast this information should terminate the foot pursuit. If the foot pursuit is discontinued for any reason, immediate efforts for containment should be established and alternatives considered based upon the circumstances and available resources.

When a foot pursuit terminates, the officer will notify the dispatcher of his/her location and the status of the pursuit termination (e.g., suspect in custody, lost sight of suspect), and will direct further actions as reasonably appear necessary, to include requesting medical aid as needed for officers, suspects or members of the public.
436.4.2 ASSISTING OFFICER RESPONSIBILITIES
Whenever any officer announces that he/she is engaged in a foot pursuit, all other officers should minimize non-essential radio traffic to permit the involved officers maximum access to the radio frequency.

Any officer who is in a position to intercept a fleeing suspect or who can assist the primary officer with the apprehension of the suspect, shall act reasonably and in accordance with department policy, based upon available information and his/her own observations.

436.4.3 SUPERVISOR RESPONSIBILITIES
Upon becoming aware of a foot pursuit, the supervisor shall make every reasonable effort to ascertain sufficient information to direct responding resources and to take command, control and coordination of the foot pursuit. The supervisor should respond to the area whenever possible; the supervisor does not, however, need not be physically present to exercise control over the foot pursuit. The supervisor shall continuously assess the situation in order to ensure the foot pursuit is conducted within established department guidelines.

The supervisor shall terminate the foot pursuit when the danger to pursuing officers or the public appears to unreasonably outweigh the objective of immediate apprehension of the suspect.

Upon apprehension of the suspect, the supervisor shall promptly proceed to the termination point to direct the post-foot pursuit activity.

436.4.4 DISPATCH RESPONSIBILITIES
Upon notification or becoming aware that a foot pursuit is in progress, the dispatcher is responsible for:

(a) Clearing the radio channel of non-emergency traffic.
(b) Coordinating pursuit communications of the involved officers.
(c) Broadcasting pursuit updates as well as other pertinent information as necessary.
(d) Ensuring that a field supervisor is notified of the foot pursuit.
(e) Notifying and coordinating with other involved or affected agencies as practicable.
(f) Notifying the Watch Commander as soon as practicable.
(g) Assigning an incident number and logging all pursuit activities.

436.5 REPORTING
The initiating officer shall complete the appropriate crime/arrest reports documenting, at minimum, the following:

(a) The reason for initiating the foot pursuit.
(b) The identity of involved personnel.
(c) The course and approximate distance of the pursuit.
Foot Pursuit Policy

(d) Whether a suspect was apprehended as well as the means and methods used.
   1. Any use of force shall be reported and documented in compliance with the Department Use of Force Policy.

(e) Any injuries or property damage.

Assisting officers taking an active role in the apprehension of the suspect shall complete supplemental reports as necessary or as directed.

436.6 POLICY
It is the policy of this department that officers, when deciding to initiate or continue a foot pursuit, continuously balance the objective of apprehending the suspect with the risk and potential for injury to department members, the public or the suspect.

Officers are expected to act reasonably, based on the totality of the circumstances.
Automated License Plate Readers (ALPRs)

437.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidance for the capture, storage and use of digital data obtained through the use of Automated License Plate Reader (ALPR) technology.

437.2 ADMINISTRATION
The ALPR technology, also known as License Plate Recognition (LPR), allows for the automated detection of license plates. It is used by the Pleasant Hill Police Department to convert data associated with vehicle license plates for official law enforcement purposes, including identifying stolen or wanted vehicles, stolen license plates and missing persons. It may also be used to gather information related to active warrants, homeland security, electronic surveillance, suspect interdiction and stolen property recovery.

All installation and maintenance of ALPR equipment, as well as ALPR data retention and access, shall be managed by the Support Services Commander. The Operations Commander will assign department members to administer the day-to-day operations of the ALPR equipment and data.

437.2.1 ALPR ADMINISTRATOR
The Support Services Commander shall be responsible for ensuring this policy provides guidelines and procedures to comply with the requirements of Civil Code § 1798.90.5 et seq. This includes, but is not limited to (Civil Code § 1798.90.51; Civil Code § 1798.90.53):

(a) A description of the job title or other designation of the members and independent contractors who are authorized to use or access the ALPR system or to collect ALPR information.

(b) Training requirements for authorized users.

(c) A description of how the ALPR system will be monitored to ensure the security of the information and compliance with applicable privacy laws.

(d) Procedures for system operators to maintain records of access in compliance with Civil Code § 1798.90.52.

(e) The title of the current designee in overseeing the ALPR operation.

(f) Working with the Custodian of Records on the retention and destruction of ALPR data.

(g) Ensuring this policy and related procedures are conspicuously posted on the department’s website.

437.3 OPERATIONS
Use of an ALPR is restricted to the purposes outlined below. Department members shall not use, or allow others to use the equipment or database records for any unauthorized purpose (Civil Code § 1798.90.51; Civil Code § 1798.90.53).

(a) An ALPR shall only be used for official law enforcement business.
Automated License Plate Readers (ALPRs)

(b) An ALPR may be used in conjunction with any routine patrol operation or criminal investigation. Reasonable suspicion or probable cause is not required before using an ALPR.

(c) While an ALPR may be used to canvass license plates around any crime scene, particular consideration should be given to using ALPR-equipped cars to canvass areas around homicides, shootings and other major incidents. Partial license plates reported during major crimes should be entered into the ALPR system in an attempt to identify suspect vehicles.

(d) No member of this department shall operate ALPR equipment or access ALPR data without first completing department-approved training.

(e) No ALPR operator may access department, state or federal data unless otherwise authorized to do so.

(f) If practicable, the officer should verify an ALPR response through the California Law Enforcement Telecommunications System (CLETS) before taking enforcement action that is based solely on an ALPR alert.

437.3.1 ARIES ALPR DATA ACCESS

Officers seeking information on license plates from the ARIES ALPR database will only access database information for official and legitimate law enforcement purposes as outlined above.

(a) Officers seeking information from the ARIES ALPR database will enter in the "Reason for Search" field the case number or event number of the related PHPD investigation.

437.4 DATA COLLECTION AND RETENTION

The Chief Technology Officer or designee is responsible for ensuring systems and processes are in place for the proper collection and retention of ALPR data. Data will be transferred from vehicles to the designated storage in accordance with department procedures.

All ALPR data downloaded to the server should be stored for a minimum of one year (Government Code § 34090.6) and in accordance with the established records retention schedule. Thereafter, ALPR data should be purged unless it has become, or it is reasonable to believe it will become, evidence in a criminal or civil action or is subject to a discovery request or other lawful action to produce records. In those circumstances the applicable data should be downloaded and printed from the ALPR system and booked into evidence.

437.5 ACCOUNTABILITY

All data will be closely safeguarded and protected by both procedural and technological means. The Pleasant Hill Police Department will observe the following safeguards regarding access to and use of stored data (Civil Code § 1798.90.51; Civil Code § 1798.90.53):
Automated License Plate Readers (ALPRs)

(a) All ALPR data shall be accessible only through a login/password-protected system capable of documenting all access of information by name, date and time (Civil Code § 1798.90.52).

(b) Members approved to access ALPR data under these guidelines are permitted to access the data for legitimate law enforcement purposes only, such as when the data relate to a specific criminal investigation or department-related civil or administrative action.

(c) ALPR system audits should be conducted on a regular basis.

For security or data breaches, see the Records Release and Maintenance Policy.

437.6 POLICY

The policy of the Pleasant Hill Police Department is to utilize ALPR technology to capture and utilize digital license plate data and images while recognizing the established privacy rights of the public.

All data and images gathered by the ALPR are for official only. Because such data may contain confidential information, it is not open to public review.

437.7 RELEASING ALPR DATA

The ALPR data may be shared only with other municipal, state, and federal law enforcement or prosecutorial agencies for official law enforcement purposes or as otherwise permitted by law.

ALPR data may be shared by one of two methods.

(a) For law enforcement agencies utilizing the same ALPR System as the Pleasant Hill Police Department, requests for data can be initiated, processed and fulfilled from within the ALPR system. This process will capture the agency name, individual making the request, date and time information is accessed, and license plate number or other data elements used to query the ALPR system.

(b) The agency makes a written request for the ALPR data that includes:

1. The name of the agency.
2. The name of the person requesting.
3. The date and time the information is accessed.
4. The license plate number or other data elements used to query the ALPR system.
5. The intended purpose of obtaining the information.

The request is then reviewed by the Administration Division Commander or the authorized designee and must be approved before the request is fulfilled. All approved requests are retained on file.
Requests for ALPR data by non-law enforcement or non-prosecutorial agencies will be processed as provided in the Records Maintenance and Release Policy (Civil Code § 1798.90.55).

437.8 TRAINING
The Professional Standards Sergeant should ensure that members receive department-approved training for those authorized to use or access the ALPR system (Civil Code § 1798.90.51; Civil Code § 1798.90.53).
Homeless Persons

438.1 PURPOSE AND SCOPE
The purpose of this policy is to ensure that personnel understand the needs and rights of the homeless and to establish procedures to guide officers during all contacts with the homeless, whether consensual or for enforcement purposes. The Pleasant Hill Police Department recognizes that members of the homeless community are often in need of special protection and services. The Pleasant Hill Police Department will address these needs in balance with the overall mission of this department. Therefore, officers will consider the following when serving the homeless community.

438.1.1 POLICY
It is the policy of the Pleasant Hill Police Department to provide law enforcement services to all members of the community, while protecting the rights, dignity and private property of the homeless. Homelessness is not a crime and members of this department will not use homelessness solely as a basis for detention or law enforcement action.

438.2 HOMELESS COMMUNITY LIAISON
The Chief of Police will designate one or more members of this department to act as Homeless Liaison Officers. The responsibilities of the Homeless Liaison Officer include the following:

(a) Maintain and make available to all department employees a list of assistance programs and other resources that are available to the homeless

(b) Meet with social services and representatives of other organizations that render assistance to the homeless.

(c) Maintain a list of the areas within and near this jurisdiction that are used as frequent homeless encampments.

(d) Remain abreast of laws dealing with the removal and/or destruction of the personal property of the homeless. This will include:
   1. Proper posting of notices of trespass and clean-up operations.
   2. Proper retention of property after clean-up, to include procedures for owners to reclaim their property in accordance with Policy 804 and other established procedures.

(e) Properly train personnel to ensure that the rights of the homeless are not violated during any clean-up operation conducted by this department where personal property is removed.

(f) Develop training to assist officers in understanding current legal and social issues relating to the homeless.

438.3 FIELD CONTACTS
Officers are encouraged to contact the homeless for purposes of rendering aid, support and for community-oriented policing purposes. Nothing in this policy is meant to dissuade an officer from taking reasonable enforcement action when facts support a reasonable suspicion of criminal
activity. This may also involve a pro-active identification of community issues and involving a wide variety of stakeholders to address those issues. Officers are encouraged to identify and address the localized underlying conditions and causes allowing homeless related problems to occur and address those issues in an effort to obtain long term results.

Officers should provide homeless persons with resource and assistance information whenever it is reasonably apparent that such services may be appropriate.

438.3.1 OTHER CONSIDERATIONS
Homeless member of the community will receive the same level and quality of service provided to other members of the community. The fact that a victim or witness is homeless can, however, require special considerations for a successful investigation and prosecution. Officers should consider the following when handling investigations involving homeless victims, witnesses or suspects:

(a) Document alternate contact information. This may include obtaining addresses and phone numbers of relatives and friends.

(b) Document places the homeless person may frequent.

(c) Provide homeless victims with victim/witness resources when appropriate.

(d) Obtain statements from all available witnesses in the event that a homeless victim is unavailable for a court appearance.

(e) Consider whether the person may be a dependent adult or elder, and if so, proceed in accordance with the Adult Abuse Policy.

(f) When appropriate, arrange for transportation for investigation-related matters, such as medical exams and court appearances.

(g) Consider whether a crime should be reported and submitted for prosecution, even when a homeless victim indicates that he/she does not desire prosecution.

438.4 ENCAMPMENTS
Officer will follow the below procedure when posting homeless encampments with vacate demands:

(a) When officers respond to a report of, or discover a homeless encampment, they may arrange to have the encampment posted with a vacate demand. The vacate demand will afford occupants up to 3 business days to vacate the premises. The notice will include vacate dates, time, and location of posting (see attachment A)

(b) Prior to, or as soon as practically possible after posting a vacate demand, the posting officer will notify the County Health Services Department Homeless Program Director, or appropriate designee, via email (homelessprogram@hsd.cccounty.us). If no response is received within 24 hours the Director can be contacted at (925) 313-7700. The Homeless Program Director will send an Outreach Team to the identified site as soon as practical to find and offer alternative housing and services. It is desirable that individuals either move into services or vacate the area on their own and remove their own belongings.
After expiration of the notice, the encampment may be removed after the following is completed:

1. **Conduct a quick field review of the encampment (i.e., look around at the items which are in plain view).**
2. **Take sufficient photographs and notes to document the condition, property, and extent of area covered by the encampment.**

Officers will create a report and record of the date, time, and location of the removal of a homeless encampment.

Persons illegally trespassing or lodging may be arrested immediately. However, normally personnel will only make arrests if someone refuses to leave or is suspected of committing a separate criminal offense.

Property owners are responsible for cleaning up and making safe the area of the encampment. This will include cleaning any hazardous waste found in the area and repairing or replacing items such as fencing.

Individuals assigned to remove the encampment should take all appropriate safety precautions.

When necessary, officers may request the County Health Services, Environmental Health Department, to inspect and report on issues involving the protections of the general community, homeless, and workers during encampment removal, including hazardous waste.

Re-establishment of encampments once they have been removed through this procedure will not be permitted. This will include the following activities:

1. **After encampment removal, the area will be posted with signs saying “No Camping” or “No Trespassing” and include the telephone number of the shelter hotline – 211.**
2. **Officers will provide continued patrol of the posted areas to prevent the formation of new encampments.**

**438.4.1 PERSONAL PROPERTY**

The personal property of homeless persons must not be treated differently than the property of other members of the public. Officers should use reasonable care when handling, collecting and retaining the personal property of homeless persons and should not destroy or discard these personal property items.

When a homeless person is arrested or otherwise removed from a public place, officers should make reasonable accommodations to permit the person to lawfully secure his/her personal property. Otherwise, when possible, the personal property should be collected for safekeeping.

Property removed from encampments that is reasonably safe and does not pose a sanitary hazard should be held for a minimum of 60 days prior to disposal. Items stored may include, but are not limited to, watches, medication, eyeglasses, jewelry, personal photographs, clothing, and personal records. Anything stored from a location should be photographed and can be kept in one box/container that is marked with the case number, date, time and location of the removal. The
process for retrieving those belongings shall be posted at the encampment site. Possessions are to be released to persons who are able to identify them and in accordance with Policy 804.

Officers who encounter unattended encampments, bedding or other personal property in public areas that reasonably appear to belong to homeless persons should not conduct, or assist in clean-up operations, without following this procedure.

If an arrestee has more personal property than can reasonably be collected and transported by the officer, a supervisor should be consulted. The property should be photographed and measures should be taken to remove or secure the property. It will be the supervisor’s responsibility to coordinate the removal and safekeeping of the property.

438.4.2 HAZARDS
Any member responding to a report of, or discovering a homeless encampment, will identify any immediate hazard to be addressed. This will be documented with photographs whenever possible. An “immediate hazard” is an imminent threat to the health or safety of the homeless or the community and its removal is exempted from the 3 business days time requirement.

438.5 MENTAL ILLNESS AND MENTAL IMPAIRMENT
Some homeless persons may suffer from a mental illness or a mental impairment. Officers shall not detain a homeless person under a mental illness commitment unless facts and circumstances warrant such a detention.

When a mental illness hold is not warranted, the contacting officer should provide the homeless person with contact information for mental health assistance as appropriate.

438.6 ECOLOGICAL ISSUES
Sometimes homeless encampments can impact the ecology and natural resources of the community and may involve criminal offenses beyond mere littering. Officers are encouraged to notify other appropriate agencies or departments when a significant impact to the environment has, or is likely to occur. Significant impacts to the environment may warrant a crime report, investigation, supporting photographs and supervisor notification.
Homeless Persons

438.6.1 ATTACHMENT A

CASE # __________   LOCATION: ___________________________   DATE & TIME: ___________

NOTICE

YOU ARE TRESPASSING (602 PC)

YOU MUST LEAVE THIS PROPERTY BY __________ AT 7:00AM OR YOU ARE SUBJECT TO ARREST. YOU MUST REMOVE ANY POSESSIONS OR PERSONAL PROPERTY FROM THIS SITE BY __________ AT 7:00AM. ANY ITEMS LEFT AT THIS SITE AFTER __________ AT 7:00AM WILL BE CONSIDERED ABANDONED AND ARE SUBJECT TO DISPOSAL.

CALL THE PLEASANT HILL POLICE FOR QUESTIONS OR TO RETRIEVE PROPERTY AT (925) 288-4600.

SHELTER AND RESOURCES MAY BE AVAILABLE. CALL 211 FOR INFORMATION

NOTICE OF SERVICE:
THE FOLLOWING PERSONS WERE PROVIDED COPIES OF THIS NOTICE:

1. ___________________________________________   BY OFFICER
   (NAME & D0B)   DATE/TIME/ EVENT #: ___________

2. ___________________________________________   BY OFFICER:
   (NAME & D0B)   DATE/TIME/ EVENT #: ___________

COPY #1: POST AT SITE
COPY #2: MOVE TO PERSONS ON SITE
COPY #3: POLICE DEPARTMENT
Public Recording of Law Enforcement Activity

439.1 PURPOSE AND SCOPE
This policy provides guidelines for handling situations in which members of the public photograph or audio/video record law enforcement actions and other public activities that involve members of this department. In addition, this policy provides guidelines for situations where the recordings may be evidence.

439.2 POLICY
The Pleasant Hill Police Department recognizes the right of persons to lawfully record members of this department who are performing their official duties. Members of this department will not prohibit or intentionally interfere with such lawful recordings. Any recordings that are deemed to be evidence of a crime or relevant to an investigation will only be collected or seized lawfully.

Officers should exercise restraint and should not resort to highly discretionary arrests for offenses such as interference, failure to comply or disorderly conduct as a means of preventing someone from exercising the right to record members performing their official duties.

439.3 RECORDING LAW ENFORCEMENT ACTIVITY
Members of the public who wish to record law enforcement activities are limited only in certain aspects.

(a) Recordings may be made from any public place or any private property where the individual has the legal right to be present (Penal Code § 69; Penal Code § 148).

(b) Beyond the act of photographing or recording, individuals may not interfere with the law enforcement activity. Examples of interference include, but are not limited to:
   1. Tampering with a witness or suspect.
   2. Inciting others to violate the law.
   3. Being so close to the activity as to present a clear safety hazard to the officers.
   4. Being so close to the activity as to interfere with an officer’s effective communication with a suspect or witness.

(c) The individual may not present an undue safety risk to the officers, him/herself or others.

439.4 OFFICER RESPONSE
Officers should promptly request that a supervisor respond to the scene whenever it appears that anyone recording activities may be interfering with an investigation or it is believed that the recording may be evidence. If practicable, officers should wait for the supervisor to arrive before taking enforcement action or seizing any cameras or recording media.

Whenever practicable, officers or supervisors should give clear and concise warnings to individuals who are conducting themselves in a manner that would cause their recording or
behavior to be unlawful. Accompanying the warnings should be clear directions on what an individual can do to be compliant; directions should be specific enough to allow compliance. For example, rather than directing an individual to clear the area, an officer could advise the person that he/she may continue observing and recording from the sidewalk across the street.

If an arrest or other significant enforcement activity is taken as the result of a recording that interferes with law enforcement activity, officers shall document in a report the nature and extent of the interference or other unlawful behavior and the warnings that were issued.

439.5 SUPERVISOR RESPONSIBILITIES

A supervisor should respond to the scene when requested or any time the circumstances indicate a likelihood of interference or other unlawful behavior.

The supervisor should review the situation with the officer and:

(a) Request any additional assistance as needed to ensure a safe environment.

(b) Take a lead role in communicating with individuals who are observing or recording regarding any appropriate limitations on their location or behavior. When practical, the encounter should be recorded.

(c) When practicable, allow adequate time for individuals to respond to requests for a change of location or behavior.

(d) Ensure that any enforcement, seizure or other actions are consistent with this policy and constitutional and state law.

(e) Explain alternatives for individuals who wish to express concern about the conduct of Department members, such as how and where to file a complaint.

439.6 SEIZING RECORDINGS AS EVIDENCE

Officers should not seize recording devices or media unless (42 USC § 2000aa):

(a) There is probable cause to believe the person recording has committed or is committing a crime to which the recording relates, and the recording is reasonably necessary for prosecution of the person.

1. Absent exigency or consent, a warrant should be sought before seizing or viewing such recordings. Reasonable steps may be taken to prevent erasure of the recording.

(b) There is reason to believe that the immediate seizure of such recordings is necessary to prevent serious bodily injury or death of any person.

(c) The person consents.

1. To ensure that the consent is voluntary, the request should not be made in a threatening or coercive manner.

2. If the original recording is provided, a copy of the recording should be provided to the recording party, if practicable. The recording party should be permitted to be present while the copy is being made, if feasible. Another way to obtain the
Public Recording of Law Enforcement Activity

Evidence is to transmit a copy of the recording from a device to a department-owned device.

Recording devices and media that are seized will be submitted within the guidelines of the Property and Evidence Policy.
Civil Disputes

440.1 PURPOSE AND SCOPE
This policy provides members of the Pleasant Hill Police Department with guidance for addressing conflicts between persons when no criminal investigation or enforcement action is warranted (e.g., civil matters), with the goal of minimizing any potential for violence or criminal acts.

The Domestic Violence Policy will address specific legal mandates related to domestic violence court orders. References in this policy to “court orders” apply to any order of a court that does not require arrest or enforcement by the terms of the order or by California law.

440.2 POLICY
The Pleasant Hill Police Department recognizes that a law enforcement presence at a civil dispute can play an important role in the peace and safety of the community. Subject to available resources, members of this department will assist at the scene of civil disputes with the primary goal of safeguarding persons and property, preventing criminal activity and maintaining the peace. When handling civil disputes, members will remain impartial, maintain a calm presence, give consideration to all sides and refrain from giving legal or inappropriate advice.

440.3 GENERAL CONSIDERATIONS
When appropriate, members handling a civil dispute should encourage the involved parties to seek the assistance of resolution services or take the matter to the civil courts. Members must not become personally involved in disputes and shall at all times remain impartial.

While not intended to be an exhaustive list, members should give considerations to the following when handling civil disputes:

(a) Civil disputes tend to be confrontational and members should be alert that they can escalate to violence very quickly. De-escalation techniques should be used when appropriate.

(b) Members should not dismiss alleged or observed criminal violations as a civil matter and should initiate the appropriate investigation and report when criminal activity is apparent.

(c) Members shall not provide legal advice, however, when appropriate, members should inform the parties when they are at risk of violating criminal laws.

(d) Members are reminded that they shall not enter a residence or other non-public location without legal authority including valid consent.

(e) Members should not take an unreasonable amount of time assisting in these matters and generally should contact a supervisor if it appears that peacekeeping efforts will involve an extended period of time.
Civil Disputes

440.4.1 STANDBY REQUESTS
Officer responding to a call for standby assistance to retrieve property should meet the person requesting assistance at a neutral location to discuss the process. The person should be advised that items that are disputed will not be allowed to be removed. The member may advise the person to seek private legal advice as to the distribution of disputed property.

Members should accompany the person to the location of the property. Members should ask if the other party will allow removal of the property or whether the other party would remove the property.

If the other party is uncooperative, the person requesting standby assistance should be instructed to seek private legal advice and obtain a court order to obtain the items. Officers should not order the other party to allow entry or the removal of any items. If there is a restraining or similar order against the person requesting standby assistance, that person should be asked to leave the scene or they may be subject to arrest for violation of the order.

If the other party is not present at the location, the member will not allow entry into the location or the removal of property from the location.

440.5 VEHICLES AND PERSONAL PROPERTY
Officers may be faced with disputes regarding possession or ownership of vehicles or other personal property. Officers may review documents provided by parties or available databases (e.g., vehicle registration), but should be aware that legal possession of vehicles or personal property can be complex. Generally, officers should not take any enforcement action unless a crime is apparent. The people and the vehicle or personal property involved should be identified and the incident documented.

440.6 REAL PROPERTY
Disputes over possession or occupancy of real property (e.g., land, homes, apartments) should generally be handled through a person seeking a court order.
Medical Aid and Response

441.1 PURPOSE AND SCOPE
This policy recognizes that members often encounter persons who appear to be in need of medical aid and establishes a law enforcement response to such situations.

441.2 POLICY
It is the policy of the Pleasant Hill Police Department that all officers and other designated members be trained to provide emergency medical aid and to facilitate an emergency medical response.

441.3 FIRST RESPONDING MEMBER RESPONSIBILITIES
Whenever practicable, members should take appropriate steps to provide initial medical aid (e.g., first aid, CPR and use of an automated external defibrillator (AED)) in accordance with their training and current certification levels. This should be done for those in need of immediate care and only when the member can safely do so.

Prior to initiating medical aid, the member should contact Dispatch and request response by emergency medical services (EMS) as the member deems appropriate.

Members should follow universal precautions when providing medical aid, such as wearing gloves and avoiding contact with bodily fluids, consistent with the Communicable Diseases Policy. Members should use a barrier or bag device to perform rescue breathing.

When requesting EMS, the member should provide Dispatch with information for relay to EMS personnel in order to enable an appropriate response, including:

(a) The location where EMS is needed.
(b) The nature of the incident.
(c) Any known scene hazards.
(d) Information on the person in need of EMS, such as:
   1. Signs and symptoms as observed by the member.
   2. Changes in apparent condition.
   3. Number of patients, sex and age, if known.
   4. Whether the person is conscious, breathing and alert, or is believed to have consumed drugs or alcohol.
   5. Whether the person is showing signs or symptoms of excited delirium or other agitated chaotic behavior.

Members should stabilize the scene whenever practicable while awaiting the arrival of EMS.

Members should not direct EMS personnel whether to transport the person for treatment.
441.4 TRANSPORTING ILL AND INJURED PERSONS
Except in extraordinary cases where alternatives are not reasonably available, members should not transport persons who are unconscious, who have serious injuries or who may be seriously ill. EMS personnel should be called to handle patient transportation.

Officers should search any person who is in custody before releasing that person to EMS for transport.

An officer should accompany any person in custody during transport in an ambulance when requested by EMS personnel, when it reasonably appears necessary to provide security, when it is necessary for investigative purposes or when so directed by a supervisor.

Members should not provide emergency escort for medical transport or civilian vehicles.

441.5 PERSONS REFUSING EMS CARE
If a person who is not in custody refuses EMS care or refuses to be transported to a medical facility, an officer shall not force that person to receive care or be transported. However, members may assist EMS personnel when EMS personnel determine the person lacks mental capacity to understand the consequences of refusing medical care or to make an informed decision and the lack of immediate medical attention may result in serious bodily injury or the death of the person.

In cases where mental illness may be a factor, the officer should consider proceeding with a 72-hour treatment and evaluation commitment (5150 commitment) process in accordance with the Mental Illness Commitments Policy.

If an officer believes that a person who is in custody requires EMS care and the person refuses, he/she should encourage the person to receive medical treatment. The officer may also consider contacting a family member to help persuade the person to agree to treatment or who may be able to authorize treatment for the person.

If the person still refuses, the officer will require the person to be transported to the nearest medical facility. In such cases, the officer should consult with a supervisor prior to the transport.

Members shall not sign refusal-for-treatment forms or forms accepting financial responsibility for treatment.

441.5.1 SICK OR INJURED ARRESTEE
If an arrestee appears ill or injured, or claims illness or injury, he/she should be medically cleared prior to booking. If the officer has reason to believe the arrestee is feigning injury or illness, the officer should contact a supervisor, who will determine whether medical clearance will be obtained prior to booking.

If the jail or detention facility refuses to accept custody of an arrestee based on medical screening, the officer should notify a supervisor to determine the appropriate action.

Arrestees who appear to have a serious medical issue should be transported by ambulance. Officers shall not transport an arrestee to a hospital without a supervisor’s approval.
441.6  MEDICAL ATTENTION RELATED TO USE OF FORCE
Specific guidelines for medical attention for injuries sustained from a use of force may be found in the Use of Force, Handcuffing and Restraints, Control Devices and Techniques, and Conducted Energy Device policies.

441.7  AIR AMBULANCE
Generally, when on-scene, EMS personnel will be responsible for determining whether an air ambulance response should be requested. An air ambulance may be appropriate when there are victims with life-threatening injuries or who require specialized treatment (e.g., gunshot wounds, burns, obstetrical cases), and distance or other known delays will affect the EMS response.

One department member at the scene should be designated as the air ambulance communications contact. Headlights, spotlights and flashlights should not be aimed upward at the air ambulance. Members should direct vehicle and pedestrian traffic away from the landing zone.

Members should follow these cautions when near an air ambulance:

- Never approach the aircraft until signaled by the flight crew.
- Always approach the aircraft from the front.
- Avoid the aircraft’s tail rotor area.
- Wear eye protection during landing and take-off.
- Do not carry or hold items, such as IV bags, above the head.
- Ensure that no one smokes near the aircraft.

441.8  AUTOMATED EXTERNAL DEFIBRILLATOR (AED) USE
A member may use an AED only after receiving appropriate training from an approved public safety first aid and CPR course (22 CCR 100014; 22 CCR 100017; 22 CCR 100018).

441.8.1  AED USER RESPONSIBILITY
Members who are issued AEDs for use in department vehicles should check the AED at the beginning of the shift to ensure it is properly charged and functioning. Any AED that is not functioning properly will be taken out of service and given to the Professional Standards Sergeant who is responsible for ensuring appropriate maintenance.

Following use of an AED, the device shall be cleaned and/or decontaminated as required. The electrodes and/or pads will be replaced as recommended by the AED manufacturer.

Any member who uses an AED should contact Dispatch as soon as possible and request response by EMS.

441.8.2  AED REPORTING
Any member using an AED will complete a report detailing its use.
441.8.3   AED TRAINING AND MAINTENANCE
The Professional Standards Sergeant should ensure appropriate training and refresher training is provided to members authorized to use an AED. A list of authorized members and training records shall be made available for inspection by the local EMS agency (LEMSA) or EMS authority upon request (22 CCR 100021; 22 CCR 100022; 22 CCR 100029).

The Professional Standards Sergeant is responsible for ensuring AED devices are appropriately maintained and will retain records of all maintenance in accordance with the established records retention schedule (22 CCR 100021).
First Amendment Assemblies

442.1 PURPOSE AND SCOPE
This policy provides guidance for responding to public assemblies or demonstrations.

442.2 POLICY
The Pleasant Hill Police Department respects the rights of people to peaceably assemble. It is the policy of this department not to unreasonably interfere with, harass, intimidate or discriminate against persons engaged in the lawful exercise of their rights, while also preserving the peace, protecting life and preventing the destruction of property.

442.3 GENERAL CONSIDERATIONS
Individuals or groups present on the public way, such as public facilities, streets or walkways, generally have the right to assemble, rally, demonstrate, protest or otherwise express their views and opinions through varying forms of communication, including the distribution of printed matter. These rights may be limited by laws or ordinances regulating such matters as the obstruction of individual or vehicle access or egress, trespass, noise, picketing, distribution of handbills and leafleting, and loitering. However, officers shall not take action or fail to take action based on the opinions being expressed.

Participant behavior during a demonstration or other public assembly can vary. This may include, but is not limited to:

- Lawful, constitutionally protected actions and speech.
- Civil disobedience (typically involving minor criminal acts).
- Rioting.

All of these behaviors may be present during the same event. Therefore, it is imperative that law enforcement actions are measured and appropriate for the behaviors officers may encounter. This is particularly critical if force is being used. Adaptable strategies and tactics are essential. The purpose of a law enforcement presence at the scene of public assemblies and demonstrations should be to preserve the peace, to protect life and prevent the destruction of property.

Officers should not:

(a) Engage in assembly or demonstration-related discussion with participants.
(b) Harass, confront or intimidate participants.
(c) Seize the cameras, cell phones or materials of participants or observers unless an officer is placing a person under lawful arrest.

Supervisors should continually observe department members under their commands to ensure that members' interaction with participants and their response to crowd dynamics is appropriate.
442.3.1 PHOTOGRAPHS AND VIDEO RECORDINGS
Photographs and video recording, when appropriate, can serve a number of purposes, including support of criminal prosecutions by documenting criminal acts; assistance in evaluating department performance; serving as training material; recording the use of dispersal orders; and facilitating a response to allegations of improper law enforcement conduct.

Photographs and videos will not be used or retained for the sole purpose of collecting or maintaining information about the political, religious or social views of associations, or the activities of any individual, group, association, organization, corporation, business or partnership, unless such information directly relates to an investigation of criminal activities and there is reasonable suspicion that the subject of the information is involved in criminal conduct.

442.4 UNPLANNED EVENTS
When responding to an unplanned or spontaneous public gathering, the first responding officer should conduct an assessment of conditions, including, but not limited to, the following:

- Location
- Number of participants
- Apparent purpose of the event
- Leadership (whether it is apparent and/or whether it is effective)
- Any initial indicators of unlawful or disruptive activity
- Indicators that lawful use of public facilities, streets or walkways will be impacted
- Ability and/or need to continue monitoring the incident

Initial assessment information should be promptly communicated to Dispatch, and the assignment of a supervisor should be requested. Additional resources should be requested as appropriate. The responding supervisor shall assume command of the incident until command is expressly assumed by another, and the assumption of command is communicated to the involved members. A clearly defined command structure that is consistent with the Incident Command System (ICS) should be established as resources are deployed.

442.5 PLANNED EVENT PREPARATION
For planned events, comprehensive, incident-specific operational plans should be developed. The ICS should be considered for such events.

442.5.1 INFORMATION GATHERING AND ASSESSMENT
In order to properly assess the potential impact of a public assembly or demonstration on public safety and order, relevant information should be collected and vetted. This may include:

- Information obtained from outreach to group organizers or leaders.
- Information about past and potential unlawful conduct associated with the event or similar events.
First Amendment Assemblies

- The potential time, duration, scope and type of planned activities.
- Any other information related to the goal of providing a balanced response to criminal activity and the protection of public safety interests.

Information should be obtained in a transparent manner, and the sources documented. Relevant information should be communicated to the appropriate parties in a timely manner.

Information will be obtained in a lawful manner and will not be based solely on the purpose or content of the assembly or demonstration, or the race, ethnicity, national origin or religion of the participants (or any other characteristic that is unrelated to criminal conduct or the identification of a criminal subject).

442.5.2 OPERATIONAL PLANS
An operational planning team with responsibility for event planning and management should be established. The planning team should develop an operational plan for the event.

The operational plan will minimally provide for:

(a) Command assignments, chain of command structure, roles and responsibilities.
(b) Staffing and resource allocation.
(c) Management of criminal investigations.
(d) Designation of uniform of the day and related safety equipment (e.g., helmets, shields).
(e) Deployment of specialized resources.
(f) Event communications and interoperability in a multijurisdictional event.
(g) Liaison with demonstration leaders and external agencies.
(h) Liaison with City government and legal staff.
(i) Media relations.
(j) Logistics: food, fuel, replacement equipment, duty hours, relief and transportation.
(k) Traffic management plans.
(l) First aid and emergency medical service provider availability.
(m) Prisoner transport and detention.
(n) Review of policies regarding public assemblies and use of force in crowd control.
(o) Parameters for declaring an unlawful assembly.
(p) Arrest protocol, including management of mass arrests.
(q) Protocol for recording information flow and decisions.
(r) Rules of engagement, including rules of conduct, protocols for field force extraction and arrests, and any authorization required for the use of force.
(s) Protocol for handling complaints during the event.
(t) Parameters for the use of body-worn cameras or other portable recording devices.
442.5.3 MUTUAL AID AND EXTERNAL RESOURCES
The magnitude and anticipated duration of an event may necessitate interagency cooperation, coordination or the use of the county's Mutual Aid Mobile Field Force. The assigned Incident Commander should ensure that any required memorandums of understanding or other agreements are properly executed, and that any anticipated mutual aid is requested and facilitated (see the Mutual Aid and Outside Agency Assistance Policy).

442.6 UNLAWFUL ASSEMBLY DISPERSAL ORDERS
If a public gathering or demonstration remains peaceful and nonviolent, and there is no reasonably imminent threat to persons or property, the Incident Commander should generally authorize continued monitoring of the event.

Should the Incident Commander make a determination that public safety is presently or is about to be jeopardized, he/she or the authorized designee should attempt to verbally persuade event organizers or participants to disperse of their own accord. Warnings and advisements may be communicated through established communications links with leaders and/or participants or to the group.

When initial attempts at verbal persuasion are unsuccessful, the Incident Commander or the authorized designee should make a clear standardized announcement to the gathering that the event is an unlawful assembly, and should order the dispersal of the participants. The announcement should be communicated by whatever methods are reasonably available to ensure that the content of the message is clear and that it has been heard by the participants. Whenever possible the announcement should be amplified, made in different languages as appropriate, made from multiple locations in the affected area and documented by audio and video. The announcement should provide information about what law enforcement actions will take place if illegal behavior continues and should identify routes for egress. A reasonable time to disperse should be allowed following a dispersal order.

442.7 USE OF FORCE
Use of force is governed by current department policy and applicable law (see the Use of Force, Handcuffing and Restraints, Control Devices and Techniques, and Conducted Energy Device policies).

Individuals refusing to comply with lawful orders (e.g., nonviolent refusal to disperse) should be given a clear verbal warning and a reasonable opportunity to comply. If an individual refuses to comply with lawful orders, the Incident Commander shall evaluate the type of resistance and adopt a reasonable response in order to accomplish the law enforcement mission (such as dispersal or arrest of those acting in violation of the law). Control devices and TASER® devices should be considered only when the participants' conduct reasonably appears to present the potential to harm officers, themselves or others, or will result in substantial property loss or damage (see the Control Devices and Techniques and the Conducted Energy Device policies).
First Amendment Assemblies

Force or control devices, including oleoresin capsaicin (OC), should be directed toward individuals and not toward groups or crowds, unless specific individuals cannot reasonably be targeted due to extreme circumstances, such as a riotous crowd.

Any use of force by a member of this department shall be documented promptly, completely and accurately in an appropriate report. The type of report required may depend on the nature of the incident.

442.8 ARRESTS
The Pleasant Hill Police Department should respond to unlawful behavior in a manner that is consistent with the operational plan. If practicable, warnings or advisements should be communicated prior to arrest.

Mass arrests should be employed only when alternate tactics and strategies have been, or reasonably appear likely to be, unsuccessful. Mass arrests shall only be undertaken upon the order of the Incident Commander or the authorized designee. There must be probable cause for each arrest.

If employed, mass arrest protocols should fully integrate:

(a) Reasonable measures to address the safety of officers and arrestees.
(b) Dedicated arrest, booking and report writing teams.
(c) Timely access to medical care.
(d) Timely access to legal resources.
(e) Timely processing of arrestees.
(f) Full accountability for arrestees and evidence.
(g) Coordination and cooperation with the prosecuting authority, jail and courts (see the Cite and Release Policy).

442.9 PUBLIC/MEDIA RELATIONS
The assigned Press Information Officer should use all available avenues of communication, including news releases, briefings, press conferences and social media to maintain open channels of communication with media representatives and the public about the status and progress of the event, taking all opportunities to reassure the public about the professional management of the event (see the News Media Relations Policy).

442.10 DEMOBILIZATION
When appropriate, the Incident Commander or the authorized designee should implement a phased and orderly withdrawal of law enforcement resources. All relieved personnel should promptly complete any required reports, including use of force reports, and account for all issued equipment and vehicles to their supervisors prior to returning to normal operational duties.
442.11 POST EVENT
The Incident Commander should designate a member to assemble full documentation of the event, to include the following:

(a) Operational plan
(b) Any incident logs
(c) Any assignment logs
(d) Vehicle, fuel, equipment and supply records
(e) Incident, arrest, use of force, injury and property damage reports
(f) Photographs, audio/video recordings, Dispatch records/tapes
(g) Media accounts (print and broadcast media)

442.11.1 AFTER-ACTION REPORTING
The Incident Commander should work with City legal counsel, as appropriate, to prepare a comprehensive after-action report of the event, explaining all incidents where force was used including the following:

(a) Date, time and description of the event
(b) Actions taken and outcomes (e.g., injuries, property damage, arrests)
(c) Problems identified
(d) Significant events
(e) Recommendations for improvement; opportunities for training should be documented in a generic manner, without identifying individuals or specific incidents, facts or circumstances.

442.12 TRAINING
Department members should receive periodic training regarding this policy, as well as the dynamics of crowd control and incident management (Penal Code § 13514.5). The Department should, when practicable, train with its external and mutual aid partners.
Chapter 5 - Traffic Operations
Traffic Function and Responsibility

500.1 PURPOSE AND SCOPE
The ultimate goal of traffic law enforcement is to reduce traffic collisions. This may be achieved through the application of such techniques as geographic/temporal assignment of personnel and equipment and the establishment of preventive patrols to deal with specific categories of unlawful driving behavior. Traffic enforcement techniques are based on accident data, enforcement activity records, traffic volume, and traffic conditions. This department provides enforcement efforts toward violations, not only in proportion to the frequency of their occurrence in accident situations, but also in terms of traffic-related needs.

500.2 TRAFFIC OFFICER DEPLOYMENT
Several factors are considered in the development of deployment schedules for officers of the Pleasant Hill Police Department. Information provided by the California Statewide Integrated Traffic Reporting System (SWITRS) is a valuable resource for traffic accident occurrences and therefore officer deployment. Some of the factors for analysis include:

- Location
- Time
- Day
- Violation factors

All officers assigned to patrol or traffic enforcement functions will emphasize enforcement of accident causing violations during high accident hours and at locations of occurrence. All officers will take directed enforcement action on request, and random enforcement action when appropriate against violators as a matter of routine. All officers shall maintain high visibility while working general enforcement, especially at high accident locations.

Other factors to be considered for deployment are requests from the public, construction zones or special events.

500.3 ENFORCEMENT
Enforcement actions are commensurate with applicable laws and take into account the degree and severity of the violation committed. This department does not establish ticket quotas and the number of arrests or citations issued by any officer shall not be used as the sole criterion for evaluating officer overall performance (Vehicle Code § 41603). The visibility and quality of an officer’s work effort will be commensurate with the philosophy of this policy. Several methods are effective in the reduction of collisions:
Traffic Function and Responsibility

500.3.1 WARNINGS
Warnings or other non-punitive enforcement actions should be considered in each situation and substituted for arrests or citations when circumstances warrant, especially in the case of inadvertent violations.

500.3.2 CITATIONS
Citations may be issued when an officer believes it is appropriate. It is essential that officers fully explain the rights and requirements imposed on motorists upon issuance of a citation for a traffic violation. Officers should provide the following information at a minimum:

(a) Explanation of the violation or charge
(b) Court appearance procedure including the optional or mandatory appearance by the motorist
(c) Notice of whether the motorist can enter a plea and pay the fine by mail or at the court

500.3.3 PHYSICAL ARREST
Physical arrest can be made on a number of criminal traffic offenses outlined in the Vehicle Code or Penal Code. These physical arrest cases usually deal with, but are not limited to:

(a) Vehicular manslaughter
(b) Felony and misdemeanor driving under the influence of alcohol/drugs
(c) Felony or misdemeanor hit-and-run
(d) Refusal to sign notice to appear
(e) Any other misdemeanor at the discretion of the officer, such as reckless driving with extenuating circumstances

500.4 SUSPENDED OR REVOKED DRIVERS LICENSES
If an officer contacts a traffic violator for driving on a suspended or revoked license, the officer may issue a traffic citation pursuant to Vehicle Code § 14601.

If a computer check of a traffic violator’s license status reveals a suspended or revoked driver license and the traffic violator still has his or her license in possession, the license shall be seized by the officer. The officer shall verbally advise the traffic violator of the suspension or revocation and issue the citation. The officer will be responsible for filling out the Verbal Notice form (DMV form DL-310) and causing that form and license to be forwarded to the Department of Motor Vehicles.

500.4.1 AUTHORITY CODES
§ 14601 Vehicle Code cases involving the following authority codes will be filed as infraction charges by the District Attorney’s office. As such, officers and supervisors should see the citation for § 14601 Vehicle Code is forwarded directly to the Traffic Court instead of setting a court date.
at the Superior Court. These reports should not be forwarded to the DA's office for a complaint by Services Personnel.

§ 12806 Vehicle Code

§ 12810 Vehicle Code

§ 13953 Vehicle Code

In the event a violator has multiple suspensions, including suspensions for other authorities than listed above, the case should be referred to the District Attorney's office for a misdemeanor complaint and a court date should be set for the Superior Court.

500.4.2 SERVICE CODES

Regarding service codes, the following service codes will result in an infraction § 12500 Vehicle Code being charged or no charges being filed unless the violator admitted knowledge of the suspension:

(a) Service codes: "I, K, N," and "R".
   1. Officers encountering violators with these service codes should use § 12500 Vehicle Code to enforce the suspension unless the violator admitted knowledge of the suspension. If the violator admitted knowledge of the suspension, officers should issue a citation for § 14601 Vehicle Code for an infraction (direct file to traffic court) or for a misdemeanor violation (report forwarded to the DA's office and a Superior Court date) depending upon the authority code for the suspension(s), see above.
   2. Service code "A" for suspensions effective after 9-30-02 should be handled as infraction § 14601 Vehicle Code cases for all authorities, unless the violator admitted knowledge of the suspension. If the violator admitted knowledge of the suspension, then the case should be handled as a misdemeanor § 14601 Vehicle Code violation.
   3. Service code "A" for suspensions effective prior to 9-30-02 should be handled as misdemeanor § 14601 Vehicle Code violations unless the suspension is for one of the authority codes listed above.

(b) The following service codes will result in misdemeanor charges being filed by the DA's office, regardless if the violator admitted knowledge of the suspension, provided the authority section is not one of the authority sections listed above: "B, C, D, E, F, G, H, J," and "M". Officers encountering these cases should handle the case as a misdemeanor violation.

(c) Officers encountering violators with multiple suspensions should handle the case as a misdemeanor provided at least one of the suspensions meets the misdemeanor criteria.
(d) Our practice of towing per § 14602.6 Vehicle Code will not change even if the violator is cited for an infraction § 14601 Vehicle Code violation.

Synopsis reports are authorized for infraction § 14601 Vehicle Code violations. Full reports will still be used for misdemeanor violations.

Officers should be mindful to include in synopsis or full report narratives, statements made by the violator regarding whether or not the registered owner of the impounded vehicle was aware the violator's license was suspended.

Following are the authority codes for suspensions and the appropriate citing authority. Violators cited for 12500 (a) VC will not have the vehicle towed per 22651 (p) VC unless the requirements outlined in Policy Manual section 502 are met. Authority codes for which violators are to be cited for 12500 VC are noted in bold type.

**FC 17520: 12500(a) (Dept. Of Social Services suspension)**

VC 12805a 14601.1(a) Not of Legal Age  
VC 12805b 14601(a) Visual acuity is 20/200 or worse  
VC 12805c 14601(a) Unable to Operate MV  
VC 12805d 14601(a) Unable to Read English Signs  
VC 12805e 14601.1(a) Failure to Surr. Foreign licence  
VC 12805f or g 14601.1(a) Suspended foreign license  
VC 12806a 14601(a) Alcoholic  
VC 12806b 14601(a) Narcotic Addict  
VC 12806c 14601(a) Lapses of Consciousness  
VC 12809a 14601.1(a) Not entitled to License  
VC 12809b 14601.1(a) Failure to supply App. Info  
VC 12809c 14601.1(a) Unlawful use of license  
VC 12809d 14601.1(a) Fraud in Lic. application  
VC 12809e 14601a Neg. or Incomp. operator  
VC 12809f 14601.1(a) Narcotic conviction  
VC 12809g 14601.1(a) Failure to surr. canceled Cert.  
VC 12810.5 14601(a) Negligent Operator-Pt. count  
VC 12814.6 14601(a) Prov. License suspensions  
VC 13200 14601(a) Reckless driving  
VC 13201a 14601.1(a) Misd. Hit and Run
Traffic Function and Responsibility

VC 1320lb 14601(a) Reckless with injury
VC 13201c 14601.1(a) Failure to stop at Railroad Crossing
VC 13202a or b 14601.1(a) Illegal Narcotics
**VC 13202.5 12500(A) Controlled Substance or Alcohol**
VC 13350a 12500(a) Felony Hit and Run
VC 13350b 12500(a) Misc. felony use of Vehicle
VC 13350c 12500(a) Reckless with Injury
VC 1335la 12500(a) Manslaughter w/vehicle
VC 1335lb 12500(a) 3 or more Misd. conv's in 12 mos
VC 13351.5 12500(a) ADW w/vehicle
VC 13352.AI-A7 14601.2(a) Driving under influence
VC 13352.A8-A9 14601.2(a) Speed Contest
VC 13352.5A 14601.2(b) 23152 VC with 1 prior
VC 13352.5B 14601.2(b) 23153 VC with 1 prior
VC 13352.3 14601.2(a) DUI - under age 18 Note: A 14601.2a Violator, in a Injury Accident, cite for 14601.4a CVC
VC 13353 14601.5(a) Implied consent for Chem test
VC 13353.1 14601.5(a) PAS test refusal
VC 13353.2 14601.5(a) BAC .08% or more Note: the record may display 13353.2/23158.5 VC 13353.6 or.7 14601.5(b) Comm.Veh. DUI
VC 13355 14601.1(a) Over 100 mph
VC 13357 14601.1(a) Auto Theft
VC 13360 14601.1(a) Viol. of Lic. Restrictions
VC 1336la 14601.1(a) Misd. Hit and Run VC 1336lb 14601(a) Two+ conv's Reckless Dr.
VC 13361c 14601.1(a) Manslaughter - Op of MV
VC 13362 14601.1(a) Fail. to Surr. Err. Iss. Lic
**VC 13363 12500(a) Various Out of State Viol.**
VC 13365 14601.1(a) Failure to Appear
VC 13801 14601.1(a) Failure to Submit to Re-exam
VC 13953a 14601(a) Phys. or mental Disability VC 13953b 14601(a) Negligent driving
Traffic Function and Responsibility

VC 13953c 14601(a) Lack of Skill or Knowledge
VC 13953d 14601.1(a) Any other Reason

In the following three authorities, cite the 14601 CVC section that goes with the reason. VC 14103
a. 14601(a) Physical or Mental Disability. VC 14105 b. 14601(a) Negligent Driving VC 14110 c. 14601(a) Lack of Knowledge d. 14601.1(a) Any other Reason

Note: When 14103, 14105 or 14110 VC are used in conjunction with another authority section, use the other authority sec. to determine proper citing section.

VC 14252 Depends on original Charge Susp. for Viol of Probation VC 16004 14601.1(a) Financial Resp. Laws
VC 16070 14601.1(a) Financial Resp. Laws VC 16000 series 14601.1(a) Misc
VC 22454.5 14601.1(a) Unlawful Pass. School Bus
VC 23144 14601.2(a) Alcohol: Minor Driver
VC 2316la(2) 14601.2(b) DUI Conv. Restriction
Court Suspension 14601(a)
23103 or 23104 Conv. Court Suspension 14601.2(a)
Any DUI Conv. Court Suspension 14601.1(a)
Any other Conv. Any others 14601.1(a) Misc.

500.4.3 IDENTIFICATION
Regarding identification issues, on any § 14601 Vehicle Code case involving verbal identification only of a violator, the District Attorney's office will normally only file an infraction charge or charges will not be filed regardless of authority and service code information. The exception to this practice is if an officer explains in a report narrative he or she personally knows the violator.

500.5 HIGH-VISIBILITY VESTS
The Department has provided American National Standards Institute (ANSI) Class II high-visibility vests to increase the visibility of department members who may be exposed to hazards presented by passing traffic, maneuvering or operating vehicles, machinery and equipment (23 CFR 655.601; 8 CCR 1598).

Although intended primarily for use while performing traffic related assignments, high-visibility vests should be worn at any time increased visibility would improve the safety or efficiency of the member.

500.5.1 REQUIRED USE
Except when working in a potentially adversarial or confrontational role, such as during vehicle stops, high-visibility vests should be worn at any time it is anticipated that an employee will be exposed to the hazards of approaching traffic or construction and recovery equipment. Examples
Traffic Function and Responsibility

of when high-visibility vests should be worn include traffic control duties, accident investigations, lane closures and while at disaster scenes, or anytime high visibility is desirable. When emergency conditions preclude the immediate donning of the vest, officers should retrieve and wear the vest as soon as conditions reasonably permit. Use of the vests shall also be mandatory when directed by a supervisor.

Vests maintained in the investigation units may be used any time a plainclothes officer might benefit from being readily identified as a member of law enforcement.

Following are the "federal aid highways" in or near Pleasant Hill:

- Contra Costa Blvd.
- North Main Street
- Pleasant Hill Road
- Alhambra Ave.
- Taylor Blvd./Willow Pass Rd. (including Sun Valley Blvd.)
- Geary Road
- Gregory Lane (not including Grayson Road)
- Monument Blvd.
- Concord Ave.
- Treat Blvd.
Traffic Collision Reporting

501.1 PURPOSE AND SCOPE
The Pleasant Hill Police Department prepares traffic collision reports in compliance with the California Highway Patrol Collision Investigation Manual (CIM) and as a public service makes traffic collision reports available to the community with some exceptions.

501.2 RESPONSIBILITY
The Patrol Division Commander will be responsible for distribution of the Collision Investigation Manual. The Patrol Division Commander will receive all changes in the state manual and ensure conformity with this policy.

501.3 TRAFFIC COLLISION REPORTING
All traffic collision reports taken by members of the Pleasant Hill Police Department shall be subject to the following requirements:

a. If a citation has already been written and is attached, a dispatcher I or Dispatcher II will process the report as outlined below.

b. If the report recommends a citation be issued, the Watch Commander will place the report in the Traffic Officers "to be reviewed" tray. The Traffic Officer assigned to traffic collision report review will evaluate the traffic collision reports which have been placed in the "to be reviewed" tray, and:

   o If warranted, issue a citation and then place the report and the citation in the report processing tray.

   o If a citation is not warranted, the Traffic Officers declining to issue a citation will confer with the reporting officer and reporting officer’s supervisor. Traffic Officers will complete supplemental reports explaining why the citation was not issued.

   o Services Division personnel will process all traffic collision reports when submitted including the following:

      o Complete the necessary declarations and route any citation to the Court.

      o Make all necessary copies, including CHP and City Hall.

      o Mark the original with the “Original Copy” stamp

501.4 REPORTING SITUATIONS

501.4.1 TRAFFIC COLLISIONS INVOLVING CITY VEHICLES
Traffic collision investigation reports shall be taken when a City-owned vehicle is involved in a traffic collision upon a roadway or highway wherein any damage or injury results.

A collision report will also be taken for incidents involving City vehicles on private property, including solo vehicle collisions.
Traffic Collision Reporting

Whenever there is damage to a City vehicle, Patrol Division supervisors will include this information in the Supervisor's Daily Report for forwarding to the Patrol Division Commander. Supervisors from other divisions will forward information in written format to the appropriate Division Commander.

Photographs of the collision scene and vehicle damage shall be taken.

501.4.2 TRAFFIC COLLISIONS WITH POLICE DEPARTMENT EMPLOYEES
When an employee of this department, either on-duty or off-duty, is involved in a traffic collision within the jurisdiction of the Pleasant Hill Police Department resulting in a serious injury or fatality, the Patrol Division Commander or the Watch Commander, should notify the California Highway Patrol for assistance.

Such situations may also call for invocation of the Contra Costa County Officer Involved Fatal Incident Protocol.

The term serious injury is defined as any injury that may result in a fatality.

501.4.3 TRAFFIC COLLISIONS WITH OTHER CITY EMPLOYEES OR OFFICIALS
The Patrol Division Commander or Watch Commander may request assistance from the California Highway Patrol for the investigation of any traffic collision involving any City official or employee where a serious injury or fatality has occurred.

501.4.4 TRAFFIC COLLISIONS ON PRIVATE PROPERTY
In compliance with the Collision Investigation Manual, traffic collision reports will not be taken for traffic collisions occurring on private property, unless there is a death or injury to any person involved, a hit and run violation, or Vehicle Code violations which are applicable to private property and off street parking facilities, e.g., DUI, suspended DL.

501.4.5 TRAFFIC COLLISIONS ON ROADWAYS OR HIGHWAYS
Traffic collision reports shall be taken when they occur on a roadway or highway within the jurisdiction of this department under any of the following circumstances:

(a) When there is a death or injury to any persons involved in the collision

(b) When there is an identifiable violation of the Vehicle Code including DUI, suspended or unlicensed drivers, hit and run

(c) When a report is requested by any involved driver

501.5 NOTIFICATION OF TRAFFIC BUREAU SUPERVISION
In the event of a serious injury or death related traffic collision, the Watch Commander shall notify the Patrol Division Commander or On Call Commander to relate the circumstances of the traffic collision and seek assistance from the MAIT Team. In the absence of the Patrol Division Commander or On Call Commander the Watch Commander may assign an accident investigator or motor officer to investigate the traffic collision.
Traffic Collision Reporting

501.6 LATE REPORTS
Late counter report injury collisions will only be investigated if an involved party has a visible injury. Complaints of pain are excluded from investigation for late or counter reports.

501.7 POLICE VEHICLES OUTSIDE JURISDICTION/OTHER
Traffic collisions outside city limits involving a police vehicle should be investigated by the city with jurisdiction or by the CHP.

Traffic collisions involving government entities or agencies such as County Connection and U.S. Postal Service will be investigated by the Pleasant Hill Police Department. Serious or fatal injury collisions involving other police agencies shall be investigated by the Pleasant Hill Police Department or by the CHP. Also see the Contra Costa County Officer Involved Fatal Incident Protocol.

Incidents involving a collision between a bicyclist and pavement or ground on a highway will be investigated as an injury collision provided serious injury has been sustained.

501.8 COLLISION REVIEW BOARD
In non injury collisions of a minor nature or where no vehicles other than a City-owned vehicle are involved, a Division Commander may review the accident report and make a finding of avoidable or non-avoidable without convening a Collision Review Board.

Involved employees have the option of requesting a Collision Review Board in lieu of Division Commander review.

Division Commanders may also elect to forego review of the collision in favor of review by the Collision Review Board.

In other collisions where the damage is significant or there is an injury including complaints of pain, a Collision Review Board consisting of a sergeant and two officers will convene to evaluate the facts and circumstances of the accident. The Division Commander will chair the proceedings.

The Collision Review Board will make a finding as to whether the accident was avoidable or not avoidable on the part of the employee. This finding will then be forwarded to the Captain or office of the Chief of Police for disposition.

501.9 ADDITIONAL REQUIREMENTS
(a) Citizens wishing to report collisions which do not meet the criteria for a collision investigation may file a driver's report (PHPD classification ACCD)

(b) Officers will be dispatched to all reports of collisions, including private property collisions. Officers will facilitate the exchange of required information between involved parties. Officers will check the license and insurance status of involved drivers at collisions and take lawful action in cases involving unlicensed or uninsured drivers.
Vehicle Towing and Release

502.1 PURPOSE AND SCOPE
This policy provides the procedures for towing a vehicle by or at the direction of the Pleasant Hill Police Department. Nothing in this policy shall require the Department to tow a vehicle.

502.2 STORAGE AND IMPOUNDS
When circumstances permit, for example when towing a vehicle for parking or registration violations, the handling employee should, prior to having the vehicle towed, make a good faith effort to notify the owner of the vehicle that it is subject to removal. This may be accomplished by personal contact, telephone or by leaving a notice attached to the vehicle at least 24 hours prior to removal. If a vehicle presents a hazard, such as being abandoned on the roadway, it may be towed immediately.

The responsibilities of those employees towing, storing or impounding a vehicle are listed below.

502.2.1 VEHICLE STORAGE REPORT
Department members requesting towing, storage or impound of a vehicle shall complete CHP Form 180 and accurately record the mileage and a description of property within the vehicle (Vehicle Code § 22850). A copy of the storage report should to be given to the tow truck operator and the original shall be submitted to the Support Services Division as soon as practicable after the vehicle is stored.

502.2.2 REMOVAL FROM TRAFFIC COLLISION SCENES
When a vehicle has been involved in a traffic collision and must be removed from the scene, the officer shall have the driver select a towing company, if possible, and shall relay the request for the specified towing company to the dispatcher. When there is no preferred company requested, a company will be selected from the rotational list of towing companies in Dispatch.

If the owner is incapacitated, or for any reason it is necessary for the Department to assume responsibility for a vehicle involved in a collision, the officer shall request the dispatcher to call the rotational tow company; the officer will then store the vehicle using a CHP form 180.

502.2.3 STORAGE AT ARREST SCENES
Whenever a person in charge or in control of a vehicle is arrested, it is the policy of this department to provide reasonable safekeeping by storing the arrestee’s vehicle subject to the exceptions described below. The vehicle, however, shall be stored whenever it is needed for the furtherance of the investigation or prosecution of the case, or when the community caretaker doctrine would reasonably suggest that the vehicle should be stored (e.g., traffic hazard, high crime area).

The following are examples of situations where consideration should be given to leaving a vehicle at the scene in lieu of storing, provided the vehicle can be lawfully parked and left in a reasonably secured and safe condition:

- Traffic related warrant arrest.
Vehicle Towing and Release

• Situations where the vehicle was not used to further the offense for which the driver was arrested.
• Whenever the licensed owner of the vehicle is present, willing, and able to take control of any vehicle not involved in criminal activity.
• Whenever the vehicle otherwise does not need to be stored and the owner requests that it be left at the scene. In such cases the owner shall be informed that the Department will not be responsible for theft or damages.

502.2.4  IMPOUNDMENT AT SOBRIETY CHECKPOINTS
Whenever a driver is stopped at a sobriety checkpoint and the only violation is that the operator is driving without a valid driver’s license, the officer shall make a reasonable attempt to identify the registered owner of the vehicle (Vehicle Code § 2814.2). The officer shall release the vehicle to the registered owner if the person is a licensed driver, or to another licensed driver authorized by the registered owner, provided the vehicle is claimed prior to the conclusion of the checkpoint operation.

If the vehicle is released at the checkpoint, the officer shall list on his/her copy of the notice to appear the name and driver’s license number of the person to whom the vehicle is released.

When a vehicle cannot be released at the checkpoint, it shall be towed (Vehicle Code § 22651(p)). When a vehicle is removed at the checkpoint, it shall be released during the normal business hours of the storage facility to the registered owner or his/her agent upon presentation of a valid driver’s license and current vehicle registration.

502.2.5  DRIVING A NON-CITY VEHICLE
Vehicles which have been towed by or at the direction of the Department should not be driven by police personnel unless it is necessary to move a vehicle a short distance to eliminate a hazard, prevent the obstruction of a fire hydrant or to comply with posted signs.

502.2.6  DISPATCHER’S RESPONSIBILITIES
Upon receiving a request for towing, the dispatcher shall promptly telephone the specified authorized towing service. The officer shall be advised when the request has been made and the towing service has been dispatched.

When there is no preferred company requested, the dispatcher shall call the next firm in rotation from the list of approved towing companies and shall make appropriate entries on that form to ensure the following firm is called on the next request.

502.2.7  SUPPORT SERVICES DIVISION RESPONSIBILITY
Records personnel shall promptly enter pertinent data from the completed storage form (CHP Form 180) into the Stolen Vehicle System and return the form to the Watch Commander for approval (Vehicle Code § 22651.5(b); Vehicle Code § 22851.3(b); Vehicle Code § 22854.5).
Approved storage forms shall be promptly placed into the auto-file so that they are immediately available for release or review should inquiries be made.

Within 48 hours, excluding weekends and holidays, of the storage of any such vehicle it shall be the responsibility of the Support Services Division to determine the names and addresses of any individuals having an interest in the vehicle through DMV or CLETS computers. Notice shall be sent to all such individuals by first-class mail (Vehicle Code § 22851.3(d); Vehicle Code § 22852(a); Vehicle Code § 14602.6(a)(2)). The notice shall include the following (Vehicle Code § 22852(b)):

(a) The name, address, and telephone number of this Department.
(b) The location of the place of storage and description of the vehicle, which shall include, if available, the name or make, the manufacturer, the license plate number, and the mileage.
(c) The authority and purpose for the removal of the vehicle.
(d) A statement that, in order to receive their post-storage hearing, the owners, or their agents, shall request the hearing in person, writing, or by telephone within 10 days of the date appearing on the notice.

502.3 TOWING SERVICES
The City of Pleasant Hill Police periodically selects a firm to act as the official tow service and awards a contract to that firm. This firm will be used in the following situations:

(a) When it is necessary to safeguard a vehicle due to the inability of the owner or operator to take the required action.
(b) When a vehicle is being held as evidence in connection with an investigation.
(c) When it is otherwise necessary to store a motor vehicle. This would include situations involving the recovery of stolen or abandoned vehicles, and the removal from the streets of vehicles obstructing traffic in violation of state or local regulations.

502.4 VEHICLE INVENTORY
All property in a stored or impounded vehicle shall be inventoried and listed on the vehicle storage form. This includes the trunk and any compartments or containers, even if closed and/or locked. Members conducting inventory searches should be as thorough and accurate as practical in preparing an itemized inventory. These inventory procedures are for the purpose of protecting an owner's property while in police custody, to provide for the safety of officers, and to protect the Department against fraudulent claims of lost, stolen, or damaged property.

502.5 SECURITY OF VEHICLES AND PROPERTY
Unless it would cause an unreasonable delay in the completion of a vehicle impound/storage or create an issue of officer safety, officers should make reasonable accommodations to permit a
Vehicle Towing and Release

driver/owner to retrieve small items of value or personal need (e.g., cash, jewelry, cell phone, prescriptions) which are not considered evidence or contraband.

If a search of a vehicle leaves the vehicle or any property contained therein vulnerable to unauthorized entry, theft or damage, personnel conducting the search shall take such steps as are reasonably necessary to secure and/or preserve the vehicle or property from such hazards.

502.6 RELEASE OF VEHICLE
The Department will maintain a listed, 24-hour telephone number to provide information regarding impoundment of vehicles and the right of the registered owner to request a storage hearing. Releases for towed vehicles will be made available during regular, non-emergency business hours (Vehicle Code § 14602.6).

(a) Vehicles removed pursuant to Vehicle Code § 22850 shall be released after proof of current registration is provided by the owner or the person in control of the vehicle and after all applicable fees are paid (Vehicle Code § 22850.3; Vehicle Code § 22850.5).

(b) Vehicles removed that require payment of parking fines or proof of valid driver’s license shall only be released upon presentation of proof of compliance, proof of payment, completion of affidavit and payment of applicable fees related to the removal (Vehicle Code § 22651 et seq., Vehicle Code § 22652 et seq., Vehicle Code § 22850.3; Vehicle Code § 22850.5).

(c) A vehicle removed pursuant to Vehicle Code § 14602.6(a) shall be released to the registered owner or his/her agent with proof of current registration, proof of a valid driver’s license and applicable fees paid prior to the end of the 30-day impoundment period under any of the following circumstances:

1. The vehicle was stolen.
2. If the driver reinstates his/her driver’s license or acquires a license and provides proof of proper insurance.
4. When there is no remaining community caretaking need to continue impound of the vehicle or the continued impound would not otherwise comply with the Fourth Amendment.

Personnel whose duties include releasing towed vehicles should consult the Vehicle Code under which the vehicle was towed or impounded for any specific requirements prior to release.

Employees who suspect that a vehicle was impounded in error should promptly advise a supervisor. Supervisors should approve, when appropriate, the release of the vehicle without requiring the registered owner or his/her agent to request a hearing, as described in the Vehicle Impound Hearings Policy.
502.7 IMPOUND AUTHORITIES

(a) Vehicles will be impounded per 14602.6 VC for drivers who have been issued citations for violations of suspended or revoked driving privileges. (However, see subsection (d) below for an exception.)

(b) When the DMV printout indicates a driver is unlicensed, e.g., "None Issued", and the officer has issued a § 12500 Vehicle Code citation, the vehicle will be left parked legally or released to a licensed driver at the scene of the stop. If leaving the vehicle parked presents a hazard or traffic obstruction, the vehicle may be towed per § 22651 (p) Vehicle Code.

(c) If a driver was previously issued a license and the driving privilege is expired, regardless of the length of time the violator's license had been expired, the vehicle will be left parked legally or released to a licensed driver at the scene of the stop. If leaving the vehicle parked presents a hazard or traffic obstruction the vehicle may be towed per § 22651 (p) Vehicle Code.

(d) The impound authority for drivers with suspended licenses due to non payment of child support is § 22651 (p) Vehicle Code.

Although § 14607.6 Vehicle Code (vehicle forfeiture statute) allowed for the forfeiture of vehicles in certain circumstances when a violator's license was expired in excess of 30 days, the provisions of §14607.6 Vehicle Code do not apply to our current vehicle impoundment practices. There is no provision in §14602.6 Vehicle Code, the basis for our current impoundment procedure, to allow for a 30 day impound simply because a violator's driver's license is expired for a lengthy period of time.
Vehicle Impound Hearings

503.1 PURPOSE AND SCOPE
This policy establishes a procedure for the requirement to provide vehicle storage or impound hearings pursuant to Vehicle Code § 22852.

503.2 STORED OR IMPOUND HEARING
When a vehicle is stored or impounded by any member of the Pleasant Hill Police Department, a hearing will be conducted upon the request of the registered or legal owner of the vehicle or his/her agent (Vehicle Code § 22650(a); Vehicle Code § 22852(a)).

The hearing shall be conducted within 48 hours of the request, excluding weekends and holidays. The hearing officer must be a person other than the person who directed the storage or impound of the vehicle (Vehicle Code § 22852(c)).

503.2.1 HEARING PROCEDURES
The vehicle storage hearing is an informal process to evaluate the validity of an order to store or impound a vehicle. The employee who caused the storage or removal of the vehicle does not need to be present for this hearing.

All requests for a hearing on a stored or impounded vehicle shall be submitted in person, in writing or by telephone within 10 days of the date appearing on the notice (Vehicle Code § 22852(b)). The Patrol Lieutenant will generally serve as the hearing officer. The person requesting the hearing may record the hearing at his/her own expense.

The failure of either the registered or legal owner or interested person or his/her agent to request a hearing in a timely manner or to attend a scheduled hearing shall be considered a waiver of and satisfaction of the post-storage hearing requirement (Vehicle Code § 22851.3(e)(2); Vehicle Code § 22852(d)).

Any relevant evidence may be submitted and reviewed by the hearing officer to determine if reasonable grounds have been established for the storage or impound of the vehicle. The initial burden of proof established by a preponderance of the evidence that the storage/impound was based on probable cause rests with the Department.

After consideration of all information, the hearing officer shall determine the validity of the storage or impound of the vehicle in question and then render a decision. The hearing officer shall also consider any mitigating circumstances attendant to the storage that reasonably would warrant the release of the vehicle or a modification or reduction of the period the vehicle is impounded (Vehicle Code §14602.6(b); Vehicle Code § 14602.8(b)).

Aside from those mitigating circumstances enumerated in the Vehicle Code, the registered owner's lack of actual knowledge that the driver to whom the vehicle was loaned was not validly licensed may constitute a mitigating circumstance under Vehicle Code § 14602.6(b) or 14602.8(b), warranting release of the vehicle. This mitigating circumstance exception is not limited to situations
where the owner made a reasonable inquiry as to the licensed status of the driver before lending the vehicle.

The legislative intent and this department’s policy is to prevent unlicensed driving pursuant to Vehicle Code §14602.6. If this purpose is not furthered by the continued impoundment of a vehicle, release is most often appropriate.

(a) If a decision is made that reasonable grounds for storage or impound have been established, the hearing officer shall advise the inquiring party of the decision and that the inquiring party may pursue further civil remedies if desired.

1. If mitigating circumstances are found to be relevant, the hearing officer shall make reasonable adjustments to the impound period, storage or assessment of fees as warranted.

(b) If a decision is made that reasonable grounds for storage or impound have not been established or sufficient mitigating circumstances exist, the vehicle in storage shall be released immediately. Towing and storage fees will be paid at the Department’s expense (Vehicle Code § 22852(e)).

(c) If a decision is made that reasonable grounds for storage have not been established or sufficient mitigating circumstances exist, and the vehicle has been released with fees having been paid, the receipt for such fees will be forwarded with a letter to the appropriate Division Commander. The hearing officer will recommend to the appropriate Division Commander that the fees paid by the registered or legal owner of the vehicle in question or their agent be reimbursed by the Department.
Impaired Driving and Evidence Collection

504.1 PURPOSE AND SCOPE
This policy provides guidance to those department members who play a role in the detection and investigation of driving under the influence (DUI).

504.2 POLICY
The Pleasant Hill Police Department is committed to the safety of the roadways and the community and will pursue fair but aggressive enforcement of California’s impaired driving laws.

504.2.1 STATUTORY NOTIFICATIONS
Officers requesting that a person submit to chemical testing shall provide the person with the mandatory warning pursuant to Vehicle Code § 23612(a)(1)(D) and Vehicle Code § 23612(a)(4).

504.2.2 CHEMICAL TESTS
A person implies consent to a chemical test or tests, and to providing the associated chemical sample, under any of the following (Vehicle Code § 23612):

(a) The person is arrested for driving a vehicle while under the influence, pursuant to Vehicle Code § 23152.

(b) The person is under 21 years of age and is arrested by an officer having reasonable cause to believe that the person’s blood alcohol content is 0.05 or more (Vehicle Code § 23140).

(c) The person is under 21 years of age and detained by an officer having reasonable cause to believe that the person was driving a vehicle while having a blood alcohol content of 0.01 or more (Vehicle Code § 23136).

(d) The person was operating a vehicle while under the influence and proximately caused bodily injury to another person (Vehicle Code § 23153).

If a person withdraws this implied consent, or is unable to withdraw consent (e.g., the person is unconscious), the officer should consider implied consent revoked and proceed as though the person has refused to provide a chemical sample.

504.2.3 CHOICE OF TESTS
Officers shall respect a viable choice of chemical test made by an arrestee, as provided for by law (e.g., breath will not be acceptable for suspected narcotics influence).

A person arrested for DUI has the choice of whether the test is of his/her blood or breath, and the officer shall advise the person that he/she has that choice. If the person arrested either is incapable, or states that he/she is incapable, of completing the chosen test, the person shall submit to the remaining test.
Impaired Driving and Evidence Collection

If the person chooses to submit to a breath test and there is reasonable cause to believe that the person is under the influence of a drug or the combined influence of alcohol and any drug, the officer may also request that the person submit to a blood test. If the person is incapable of completing a blood test, the person shall submit to and complete a urine test (Vehicle Code § 23612(a)(2)(C)).

504.2.4 BLOOD SAMPLES

Only persons authorized by law to draw blood shall collect blood samples (Vehicle Code § 23158). Whether such evidence is collected at the Department or other location, the blood draw should be witnessed by the assigned officer. No officer, even if properly certified, should perform this task.

Officers should inform an arrestee that if he/she chooses to provide a blood sample, a separate sample can be collected for alternate testing. Unless medical personnel object, two samples should be collected and retained as evidence, so long as only one puncture is required.

The blood sample shall be packaged, marked, handled, stored and transported as required by the testing facility.

If an arrestee cannot submit to a blood draw because he/she has a bleeding disorder or has taken medication that inhibits coagulation, he/she shall not be required to take a blood test. Such inability to take a blood test should not be considered a refusal. However, that arrestee may be required to complete another available and viable test.

All blood samples shall be booked into evidence for later transfer to the crime laboratory for analysis.

504.2.5 BREATH TEST

The Patrol Lieutenant should ensure that all devices used for the collection and analysis of breath samples are properly serviced and tested and that a record of such service and testing is properly maintained.

If the arrested person chooses a breath test and it can be accomplished without undue delay, the arrested person shall first be transported to the jail for breath testing preparatory to booking. At the jail, an officer trained in the use of the alcohol breath machine will record the blood alcohol level by obtaining samples of the person's breath. Officers obtaining a breath sample should monitor the device for any sign of malfunction. Any anomalies or equipment failures should be noted in the appropriate report and promptly reported to the Patrol Lieutenant.

When the arrested person chooses a breath test, the handling officer shall advise the person that the breath-testing equipment does not retain a sample, and the person may, if desired, provide a blood or urine specimen, which will be retained to facilitate subsequent verification testing (Vehicle Code § 23614).

The officer should also require the person to submit to a blood test if the officer has a clear indication that a blood test will reveal evidence of any drug or the combined influence of an
alcoholic beverage and any drug. Evidence of the officer’s belief shall be included in the officer’s report (Vehicle Code § 23612(a)(2)(C)).

504.2.6 URINE SAMPLES
If a urine test will be performed, the arrestee should be promptly transported to the jail. The officer shall follow any directions accompanying the urine evidence collection kit.

Urine samples shall be collected and witnessed by an officer or matron of the same sex as the individual giving the sample. The arrestee should be allowed sufficient privacy to maintain his/her dignity, to the extent possible, while still ensuring the accuracy of the sample (Vehicle Code § 23158(i)).

The sample shall be packaged, marked, handled, and stored in the evidence refrigerator to await transportation to the crime laboratory.

Urine evidence collection kits are maintained in the jail. The officer shall follow the directions listed on the instruction sheet accompanying the urine evidence collection kit. If the arrested person’s urine is necessarily collected elsewhere, the procedure will remain the same.

504.2.7 PRELIMINARY ALCOHOL SCREENING
Officers may use a preliminary alcohol screening (PAS) test to assist in establishing reasonable cause to believe a person is DUI. The officer shall advise the person that the PAS test is being requested to assist in determining whether the person is under the influence of alcohol or drugs, or a combination of the two. Unless the person is under the age of 21, he/she shall be advised that the PAS test is voluntary. The officer shall also advise the person that submitting to a PAS test does not satisfy his/her obligation to submit to a chemical test as otherwise required by law (Vehicle Code § 23612).

504.2.8 PRELIMINARY ALCOHOL SCREENING FOR A PERSON UNDER AGE 21
If an officer lawfully detains a person under 21 years of age who is driving a motor vehicle and the officer has reasonable cause to believe that the person has a blood alcohol content of 0.01 or more, the officer shall request that the person take a PAS test to determine the presence of alcohol in the person, if a PAS test device is immediately available. If a PAS test device is not immediately available, the officer may request the person to submit to chemical testing of his/her blood, breath or urine, conducted pursuant to Vehicle Code § 23612 (Vehicle Code § 13388).

If the person refuses to take or fails to complete the PAS test or other chemical test, or if the result of either test reveals a blood alcohol content of 0.01 or more, the officer shall proceed to serve the person with a notice of order of suspension pursuant to this policy (Vehicle Code § 13388).

504.2.9 TESTING OF CONSCIOUS PERSON AT A HOSPITAL
Most blood, breath and urine tests will be administered at the jail. However, if a timely breath or urine test cannot be administered because the person is transported to a medical facility where such tests cannot be facilitated, the person shall be advised that a blood test will be the only choice available and a blood sample may be taken at the medical facility (Vehicle Code § 23612(a)(3)).
Based on probable cause, the officer should place the conscious person under arrest in the presence of a witnessing officer or medical personnel and advise the attending physician of the intention to collect a sample of the person’s blood. Unless the attending physician objects for medical reasons a blood sample will be collected in the prescribed manner.

504.2.10 TESTING OF UNCONSCIOUS PERSON AT A HOSPITAL
When a person is suspected of driving under the influence of alcohol and/or drugs and the person is unconscious or in a condition rendering him or her incapable of refusal, the officer should consider implied consent revoked and proceed as though the person has refused to provide a chemical sample. The officer shall advise the attending physician of the intention to collect a sample of the person’s blood as evidence. If the physician does not object based on medical reasons, the blood will be collected in the prescribed manner outlined in section 514.4 of this policy.

A person who is dead is deemed not to have withdrawn his or her consent and a test or tests may be administered. In such cases the handling officer should coordinate with the Coroner’s Office to ensure that a viable test will be obtained (Vehicle Code § 23612(a)(5)).

504.3 DUI CITE/RELEASE POLICY
This directive establishes the guidelines regarding the citation release of DUI drivers.

All persons arrested for violation of Sections §§ 23152(a) or 23152(b) Vehicle Code will be brought to PHPD for initial processing unless they are injured to the point that they require immediate medical attention or they are so violent that officer safety is in jeopardy. Those persons shall be transported directly to the County Hospital or County Jail, as appropriate.

504.3.1 PROCEDURES
(a) Unless precluded for some reason, all persons arrested for DUI will be fingerprinted and photographed at PHPD.

(b) Misdemeanor driving under the influence (DUI) arrestees may be released upon a written promise to appear in court after the arrestee has been transported to the Department for chemical testing and processing. The arresting officer will determine if the arrestee is to be booked or cited and released after chemical testing. The arrestee must meet all the following factors to qualify for cite and release:

1. Proper identification.
2. A likelihood that the arrestee will appear in court.
3. A person is available to assume responsibility for the arrestee.
4. No arrest warrants.
5. Has no more than two prior DUI convictions within seven years of the current DUI arrest.
6. Is not under the influence of drugs.
Impaired Driving and Evidence Collection

7. Is not violent.
8. Is not a danger to self or others.

(c) Providing that the arrestee meets the above criteria for cite and release, the following items will be used to further qualify the arrestee:

1. Responsible person must arrive within 30 minutes.
2. Responsible person is not under the influence of alcohol or drugs.
3. Responsible person is an adult.
4. Responsible person has proper identification.

(d) If the above criteria are met, the arresting officer will issue a Notice to Appear to the violator with a court appearance date.

(e) If the arrestee fails to sign the citation, normal booking procedure will be followed.

(f) The arresting officer shall admonish the arrestee and responsible person of the following information, using the PHPD form (see attached):

1. The arrestee has been arrested for driving under the influence.
2. The arrestee is not to drive a motor vehicle until he/she is no longer under the influence, or may again be subject to arrest.
3. The arrestee is responsible for his/her own actions.
4. The arrestee is being released to the responsible person.

(g) The responsible person shall be requested to sign the admonishment form. If the responsible person refuses to sign the form, write "refused" in the signature box. The form shall be retained and attached to the DUI report.

(h) The arrested person shall be booked whenever a responsible person is not willing to sign the admonishment form.

(i) The arresting officer shall include the following in the arrest report:

1. The arrestee was cited and released to a responsible person.

(j) Juveniles who have been arrested for DUI offenses may be released to their parents or guardian after being issued the proper citation. Juveniles who are going to be booked into Juvenile Hall for a DUI offense must be examined at County Hospital and given a release by a physician prior to being transported to Juvenile Hall. This requirement applies whether or not there is any injury.
Pleasant Hill Police Department
Alcohol/Drug Intoxication
Release and Admonishment

ARRESTEE: ___________________________ PHPD CASE #: ___________________________

The person named above has been arrested for either driving under the influence of alcohol
and/or drugs, or for being under the influence of drugs. In taking responsibility for this person,
you understand and agree to the following:

1. The person has been arrested for:
   • driving under the influence of alcohol and or drugs
   • being under the influence of drugs
   • public intoxication

2. The arrestee is not to drive a motor vehicle or be out in a public place until he/she is no
   longer under the influence, or he/she may again be subject to arrest.

3. The arrestee is responsible for his/her own actions

4. The arrestee is being released to you by mutual agreement and you accept responsibility
   for his/her care during this intoxication.

Your signature below is your acknowledgement that you have read, understood, and agree to the
conditions set forth above.

NAME: ___________________________ TELEPHONE: ___________________________

ADDRESS: ___________________________

DRIVER'S LICENSE: ___________________________ SIGNATURE: ___________________________

RELEASING OFFICER: _______________ DATE: ___________ TIME: ___________
504.4 REFUSALS
When a person refuses to provide a viable chemical sample, officers should:

(a) Advise the person of the requirement to provide a sample (Vehicle Code § 23612).
(b) Audio-record the admonishment and the response if practicable.
(c) Document the refusal in the appropriate report.

Upon refusal to submit to a chemical test as required by law, officers shall personally serve the notice of order of suspension upon the person and take possession of any state-issued license to operate a motor vehicle that is held by that person (Vehicle Code § 23612(e); Vehicle Code § 23612(f)).

504.4.1 BLOOD SAMPLE WITHOUT CONSENT
A blood sample may be obtained from a person who refuses a chemical test when any of the following conditions exist:

(a) A search warrant has been obtained (Penal Code § 1524).
(b) The officer can articulate that exigent circumstances exist. Exigency does not exist solely because of the short time period associated with the natural dissipation of alcohol or controlled or prohibited substances in the person’s bloodstream. Exigency can be established by the existence of special facts such as a lengthy time delay in obtaining a blood sample due to an accident investigation or medical treatment of the person.

504.4.2 FORCED BLOOD SAMPLE
If a person indicates by word or action that he/she will physically resist a blood draw, the officer should request a supervisor to respond.

The responding supervisor should:

(a) Evaluate whether using force to obtain a blood sample is appropriate under the circumstances.
(b) Ensure that all attempts to obtain a blood sample through force cease if the person agrees to, and completes a viable form of testing in a timely manner.
(c) Advise the person of his/her duty to provide a sample (even if this advisement was previously done by another officer) and attempt to persuade the person to submit to such a sample without physical resistance. This dialogue should be recorded on audio and/or video if practicable.
(d) Ensure that the withdrawal is taken in a medically approved manner.
(e) Ensure the forced withdrawal is recorded on audio and/or video when practicable.
(f) Monitor and ensure that the type and level of force applied is reasonable under the circumstances:
Impaired Driving and Evidence Collection

1. Unless otherwise provided in a warrant, force should generally be limited to handcuffing or similar restraint methods, such as application of the WRAP.

2. In misdemeanor cases, if the suspect becomes violent or more resistant, no additional force will be used and a refusal should be noted in the report.

3. In felony cases, force which reasonably appears necessary to overcome the resistance to the blood being withdrawn may be permitted.

   (g) Ensure the use of force and methods used to accomplish the blood sample draw are documented in the related report.

If a supervisor is unavailable, officers are expected to use sound judgment and perform as a responding supervisor, as set forth above.

504.5 SUPPORT SERVICES DIVISION RESPONSIBILITIES
The Support Services Supervisor will ensure that all case-related records are transmitted according to current records procedures and as required by the prosecuting attorney’s office.

The Support Services Supervisor will ensure that all appropriate reports and documents related to administrative license suspensions are reviewed and forwarded to DMV.

504.6 TRAINING
The Professional Standards Sergeant should ensure that officers participating in the enforcement of DUI laws receive regular training. Training should include, at minimum, current laws on impaired driving, investigative techniques and rules of evidence pertaining to DUI investigations. The Professional Standards Sergeant should confer with the prosecuting attorney’s office and update training topics as needed.

504.7 ARREST AND INVESTIGATION

504.7.1 WARRANTLESS ARREST
In addition to the arrest authority granted to officers pursuant to Penal Code § 836, an officer may make a warrantless arrest of a person that the officer has reasonable cause to believe has been driving under the influence of an alcoholic beverage or any drug, or under the combined influence of the same when (Vehicle Code § 40300.5):

   (a) The person is involved in a traffic accident.
   (b) The person is observed in or about a vehicle that is obstructing the roadway.
   (c) The person will not be apprehended unless immediately arrested.
   (d) The person may cause injury to him/herself or damage property unless immediately arrested.
   (e) The person may destroy or conceal evidence of a crime unless immediately arrested.
504.7.2 OFFICER RESPONSIBILITIES
The officer serving the arrested person with a notice of an order of suspension shall immediately (Vehicle Code § 23612):

(a) Forward a copy of the completed notice of suspension or revocation form and any confiscated driver’s license to the Services Division to be processed and sent to the DMV.

(b) Forward a copy of the arrest report

(c) Forward the results to the appropriate forensic laboratory if the person submitted to a blood or urine test.
Traffic Citations

505.1 PURPOSE AND SCOPE
This policy outlines the responsibility for traffic citations, the procedure for dismissal, correction, and voiding of traffic citations.

505.2 RESPONSIBILITIES
The Patrol Division Commander shall be responsible for the development and design of all Department traffic citations in compliance with state law and the Judicial Council.

The Support Services Division shall be responsible for the supply and accounting of all traffic citations issued to employees of this department.

505.3 DISMISSAL OF TRAFFIC CITATIONS
Employees of this department do not have the authority to dismiss a citation once it has been issued. Only the court has the authority to dismiss a citation that has been issued (Vehicle Code § 40500(d)). Any request from a recipient to dismiss a citation shall be referred to the Division Commander of the involved employee.

If approved, the citation will be forwarded to the appropriate court with a request for dismissal. All recipients of traffic citations whose request for the dismissal of a traffic citation has been denied shall be referred to the appropriate court.

Should an officer determine during a court proceeding that a traffic citation should be dismissed in the interest of justice or where prosecution is deemed inappropriate the officer may request the court to dismiss the citation. Upon dismissal of the traffic citation by the court, the officer will notify his/her immediate supervisor of the circumstances surrounding the dismissal and shall complete any paperwork as directed or required. The citation dismissal will be reviewed by the supervisor and forwarded to the Division Commander with an accompanying recommendation.

505.4 VOIDING TRAFFIC CITATIONS
Voiding a traffic citation may occur when a traffic citation has not been completed or where it is completed, but not issued. All copies of the citation shall be presented to a supervisor and then Division Commander to approve the voiding of the citation. The citation and copies shall then be forwarded to the Support Services Division.

505.5 CORRECTION OF TRAFFIC CITATIONS
When a traffic citation is issued and in need of correction, the officer issuing the citation shall submit the citation and a letter requesting a specific correction to his/her immediate supervisor. The citation and letter shall then be forwarded to the Support Services Division. The Support Services Division shall prepare a letter of correction to the court having jurisdiction and to the recipient of the citation.
505.6 DISPOSITION OF TRAFFIC CITATIONS
The court and file copies of all traffic citations issued by members of this department shall be forwarded to the employee’s immediate supervisor for review. The citation copies shall then be filed with the Support Services Division.

Upon separation from employment with the this department, all employees issued traffic citations books shall return any unused citations to the Support Services Division.

505.7 NOTICE OF PARKING VIOLATION APPEAL PROCEDURE
Disposition of notice of parking violation appeals is conducted pursuant to Vehicle Code § 40215.

505.7.1 APPEAL STAGES
Appeals may be pursued sequentially at three different levels:

(a) Administrative reviews are conducted by the Patrol Division Commander who will review written/documentary data. Requests for administrative are informal written statements outlining why the notice of parking violation should be dismissed. Copies of documentation relating to the notice of parking violation and the request for dismissal must be mailed to the current mailing address of the processing agency.

(b) If the appellant wishes to pursue the matter beyond administrative review, an administrative hearing may be conducted in person or by written application, at the election of the appellant. Independent referees review the existent administrative file, amendments, and/or testimonial material provided by the appellant and may conduct further investigation or follow-up on their own.

(c) If the appellant wishes to pursue the matter beyond an administrative hearing, a Superior Court review may be presented in person by the appellant after an application for review and designated filing fees have been paid to The Superior Court of California.

505.7.2 TIME REQUIREMENTS
Administrative review or appearance before a hearing examiner will not be provided if the mandated time limits are not adhered to by the violator.

(a) Requests for an administrative review must be postmarked within 21 calendar days of issuance of the notice of parking violation, or within 14 calendar days of the mailing of the Notice of Delinquent Parking (Violation Vehicle Code § 40215(a)).

(b) Requests for administrative hearings must be made no later than 21 calendar days following the notification mailing of the results of the administrative review (Vehicle Code § 40215(b)).

(c) An administrative hearing shall be held within 90 calendar days following the receipt of a request for an administrative hearing, excluding time tolled pursuant to Vehicle Code
§ 40200 - 40225. The person requesting the hearing may request one continuance, not to exceed 21 calendar days (Vehicle Code § 40215).

(d) Registered owners of vehicles may transfer responsibility for the violation via timely affidavit of non-liability when the vehicle has been transferred, rented or under certain other circumstances (Vehicle Code § 40209 and Vehicle Code § 40210).

505.7.3 COSTS

(a) There is no cost for an administrative review.

(b) Appellants must pay the full amount due for the citation, or provide satisfactory proof of their inability to pay, before receiving an administrative hearing.

(c) An appeal through Superior Court requires prior payment of filing costs including applicable court charges and fees. These costs will be reimbursed to the appellant in addition to any previously paid fines if appellant's liability is overruled by the Superior Court.
Disabled Vehicles

506.1 PURPOSE AND SCOPE
Vehicle Code § 20018 provides that all law enforcement agencies having responsibility for traffic enforcement may develop and adopt a written policy to provide assistance to motorists in disabled vehicles within their primary jurisdiction.

506.2 OFFICER RESPONSIBILITY
When an on-duty officer observes a disabled vehicle on the roadway, the officer should make a reasonable effort to provide assistance. If that officer is assigned to a call of higher priority, the dispatcher should be advised of the location of the disabled vehicle and the need for assistance. The dispatcher should then assign another available officer to respond for assistance as soon as practical.

506.3 EXTENT OF ASSISTANCE
In most cases, a disabled motorist will require assistance. After arrangements for assistance are made, continued involvement by department personnel will be contingent on the time of day, the location, the availability of departmental resources, and the vulnerability of the disabled motorist.

506.3.1 MECHANICAL REPAIRS
Department personnel shall not make mechanical repairs to a disabled vehicle. The use of push bumpers to relocate vehicles to a position of safety is not considered a mechanical repair.

506.3.2 JUMP STARTS/FORCED ENTRY
Officers will not provide "jump" starts to civilian vehicles. Instead, officers can call for a tow truck for the disabled motorist.

Officers may "jump" start disabled police vehicles.

Officers will not force entry to locked civilian vehicles except in emergencies, e.g., a person locked in the vehicle unable to care for themselves and/or needing medical attention. Officers should consider the situation and present conditions before forcing entry.

506.3.3 RELOCATION OF DISABLED MOTORIST
The relocation of a disabled motorist should only occur with the person’s consent and should be suggested when conditions reasonably indicate that immediate movement is necessary to mitigate a potential hazard. The department member may stay with the disabled motorist or transport him/her to a safe area to await pickup.

506.3.4 RELOCATION OF DISABLED VEHICLES
The relocation of disabled vehicles by members of this department by pushing or pulling a vehicle should only occur when the conditions reasonably indicate that immediate movement is necessary to reduce a hazard presented by the disabled vehicle.
506.4 PUBLIC ACCESS TO THIS POLICY
This written policy is available upon request.
Directed Traffic Enforcement

507.1 PURPOSE AND SCOPE
The purpose of this policy is to establish a procedure to maintain and publish within the Department a list of areas in the city that require special traffic enforcement activity.

507.2 PROCEDURES
(a) The Patrol Division Commander, or designee, shall ensure the maintenance of a Directed Traffic Enforcement Area list on the Daily Bulletin.

(b) Locations and/or specific violations shall be selected by the Patrol Division Commander, Watch Commander, or designee, based upon one or more of the following:
   1. The prior month/quarter Traffic Collision statistics.
   2. Citizen complaints about the area.
   4. Suggestions/input from the City Traffic Engineer or Public Works Department
   5. Department observation of violations.
   6. Direction from the Chief of Police.

(c) Information on the list: The list shall include as many of the following items as are appropriate: specific location, the days of the week, the times of the day, the violations, and the ID number of the supervisor placing the location on the list.

507.2.1 ENFORCEMENT
Officers may be assigned by supervisors to areas on the Directed Traffic Enforcement at specified times for the primary purpose of traffic enforcement. Any enforcement will be pursuant to the provisions of section 500.3 of the Policy Manual.
72-Hour Parking Violations

508.1 PURPOSE AND SCOPE
This policy provides procedures for the marking, recording, and storage of vehicles parked in violation of the Pleasant Hill Police City Ordinance regulating 72-hour parking violations and abandoned vehicles under the authority of Vehicle Code § 22669.

508.2 MARKING VEHICLES
Vehicles suspected of being in violation of the City of Pleasant Hill Police 72-Hour Parking Ordinance shall be marked and noted on the Pleasant Hill Police Department Marked Vehicle Card. No case number is required at this time.

A visible chalk mark should be placed on the left rear tire tread at the fender level unless missing tires or other vehicle conditions prevent marking. Any deviation in markings shall be noted on the Marked Vehicle Card.

All Marked Vehicle Cards shall be submitted to the Support Services Division for computer data entry.

If a marked vehicle has been moved or the markings have been removed during a 72-hour investigation period, the vehicle shall be marked again for the 72-hour parking violation and a Marked Vehicle Card completed and forwarded to the Support Services Division.

508.2.1 MARKED VEHICLE FILE
The Support Services Division shall be responsible for maintaining a file for all Marked Vehicle Cards.

The Community Service Officer assigned to the Patrol Division shall be responsible for the follow up investigation of all 72-hour parking violations noted on the Marked Vehicle Cards. Patrol Division officers will respond to abandoned vehicle complaints on days which the Patrol Division Community Service Officer is unavailable. The Community Service Officer will normally handle the towing of vehicles.

508.2.2 VEHICLE STORAGE
Any vehicle in violation shall be stored by the authorized towing service and a vehicle storage report (CHP form 180) shall be completed by the officer authorizing the storage of the vehicle.

A case number will be issued when the vehicle is towed. The report may be written on the CHP180 form.

The storage report form shall be submitted to the Support Services Division immediately following the storage of the vehicle. It shall be the responsibility of the Support Services Division to immediately notify the Stolen Vehicle System (SVS) of the Department of Justice in Sacramento (Vehicle Code § 22851.3(b)). Notification may also be made to the National Law Enforcement Telecommunications System (NLETS)(Vehicle Code § 22854.5).
72-Hour Parking Violations

Within 48 hours of the storage of any such vehicle, excluding weekends and holidays, it shall be the responsibility of the Support Services Division to determine the names and addresses of any individuals having an interest in the vehicle through DMV or CLETS computers. Notice to all such individuals shall be sent first-class or certified mail pursuant to Vehicle Code § 22851.3(d).
Administrative Per Se Law (APS)

509.1 PURPOSE AND SCOPE
This policy provides for the immediate suspension of California driver's licenses in certain Driving Under the Influence (DUI) cases and in Zero Tolerance incidents. Vehicle Code §§ 13382 (a) and (b), and 13388 (b) require that peace officers immediately suspend driving privileges in certain situations involving arrests for Vehicle Code §§ 23152 and 23153. This policy also describes the policy dealing with Zero Tolerance laws.

509.2 SUSPENSION OF CALIFORNIA DRIVER'S LICENSES
The driver's license of a person suspected of driving under the influence of alcohol, shall immediately be suspended under any of the following circumstances:

(a) The arrestee refuses to submit to a chemical test
(b) The arrestee fails to complete the selected test
(c) The arrestee declines a breath test and demands a blood or urine test, and, the arresting officer has reasonable cause to believe that the arrestee's Blood Alcohol Content (BAC) will exceed the .08-percent level
(d) The arrestee completes the breath tests which show a BAC of .08-percent or higher

509.2.1 ZERO TOLERANCE LAW
Vehicle Code §§ 23136 & 23140 were enacted to reduce alcohol related incidents by persons under the age of 21-years. A person under 21-years years of age may have his or her license suspended under the following circumstances:

(a) When suspected of consuming alcohol and refusing a PAS test
(b) Who has a blood-alcohol level of .01-percent or greater

Zero Tolerance requires a Preliminary Alcohol Screening (PAS) device as the primary test. If the device is not available, one of the other chemical tests must be completed. Under Zero Tolerance, only the PAS device result is required. If, based on the PAS results, the driver's blood alcohol reading warrants arrest and further chemical testing, the Department of Motor Vehicles does not require completion of the chemical test section of the DS367m form. Once the PAS certification is complete, the Zero Tolerance requirement has been met.

509.3 PEACE OFFICER'S RESPONSIBILITY
In any of the above situations, the peace officer, acting on behalf of the Department of Motor Vehicles, shall do the following:

(a) Confiscate any California driver's license(s) in the possession of the driver. If the subject has an Admin Per Se (APS) temporary license document, do not confiscate.
(b) Complete and serve the Administrative Per Se Order of Suspension (DMV form DS367, DS367m or DS367s - Officer's Statement and Order of Suspension), 4th page on the driver, regardless of license status.

(c) The officer will inform the driver that the "Administrative Per Se Order of Suspension", form DS367, DS367m or DS367s' along with his/her violator's notice to appear (except Zero Tolerance) or other release from custody document, will serve as the driver's temporary license. If the driver's privilege to drive is suspended or revoked, the order will not be a valid temporary license. If the subject presents an Admin Per Se suspension order/temporary license, do not confiscate the order but do issue another order pursuant to the current DUI arrest.

509.4 DEPARTMENT OF MOTOR VEHICLES NOTIFICATION

The following specified items must be forwarded to the Department of Motor Vehicles within five regular business days:

(a) Officer's Statement form DS367 or DS367m (Minor) or DS367s (Spanish)
(b) Order of suspension (form DS367, DS367m or DS367s, pages 2 and 3)
(c) Copy of the printout of the breath test (if taken)
(d) Traffic collision report if applicable
(e) The offender's driver's license

509.5 PROCESSING OF FORMS

In order to ensure that the Department of Motor Vehicles and Police Department forms are routed properly, the following responsibilities are identified:

509.5.1 SUPERVISORY APPROVAL

The Watch Commander, or the supervisor responsible for approving reports, shall collect the documents described in Policy Manual § 526.4, review for completeness (dates, times, signatures, etc.) and forward the originals of the documents to the Support Services Division.

509.5.2 SUPPORT SERVICES RESPONSIBILITY

The Support Services is responsible for the following:

(a) Copies of documents required by DMV are to be made for the department files and the originals are then to be forwarded to the Department of Motor Vehicles;
(b) Providing a copy of DMV form DS367, DS367m or DS367s to the Support Services Division
(c) One copy of the Forensic Alcohol Examination Report shall be attached to the second copy of form DS367, which shall then be forwarded to the Support Services Division
Administrative Per Se Law (APS)

(d) Support Services is also responsible for keeping and updating cases on all persons arrested for DUI and coordination with the DMV.

509.5.3 PROPERTY/EVIDENCE CSO RESPONSIBILITY
It is the responsibility of the Property/Evidence CSO to promptly deliver physiological specimens to the designated crime lab as soon as possible after receipt to ensure that the above time requirements are met.
Motorcycle Use

510.1 PURPOSE AND SCOPE
This policy sets forth terms on use of a police motorcycle in transit to and from the officer's home.

510.1.1 AUTHORIZED USE OF MOTORCYCLE
Upon approval of the Chief of Police or designee, an officer assigned as a full time motorcycle or traffic officer (within the meaning of that assignment in the current Memorandum of Understanding) may drive his or her assigned motorcycle directly to and from the workplace if the officer is in full uniform with the required motorcycle riding safety equipment.

An officer driving to and from work in this capacity will use a magnetic "OUT OF SERVICE" placard on the motorcycle and the officer is not considered on duty.

If the officer chooses to drive the motorcycle to and from the workplace, it will be garaged and out of public view at his/her residence.

Officers assigned to motorcycle duty will not use the motorcycle for any personal business off duty.
Chapter 6 - Investigation Operations
Investigation and Prosecution

600.1 PURPOSE AND SCOPE
The purpose of this policy is to set guidelines and requirements pertaining to the handling and disposition of criminal investigations.

600.2 POTENTIALLY EXCULPATORY EVIDENCE OR FACTS
Officers must include in their reports adequate reference to all material evidence and facts which are reasonably believed to be exculpatory to any individual in the case. If an officer learns of potentially exculpatory information anytime after submission of the case, the officer must notify the prosecutor as soon as practicable.

Evidence or facts are considered material if there is a reasonable probability that they may impact the result of a criminal proceeding or trial. Determining whether evidence or facts are material often requires legal or even judicial review. If an officer is unsure whether evidence or facts are material, the officer should address the issue with a supervisor.

600.3 POLICY
It is the policy of the Pleasant Hill Police Department to investigate crimes thoroughly and with due diligence, and to evaluate and prepare criminal cases for appropriate clearance or submission to a prosecutor.

600.4 CUSTODIAL INTERROGATION REQUIREMENTS
Suspects who are in custody and subjected to an interrogation shall be given the *Miranda* warning, unless an exception applies. Interview or interrogation of a juvenile shall be in accordance with the Temporary Custody of Juveniles Policy.

600.4.1 AUDIO/VIDEO RECORDINGS
Any custodial interrogation of an individual who is suspected of having committed any violent felony offense should be recorded (audio or video with audio as available) in its entirety. Regardless of where the interrogation occurs, every reasonable effort should be made to secure functional recording equipment to accomplish such recordings.

Consideration should also be given to recording a custodial interrogation, or any investigative interview, for any other offense when it is reasonable to believe it would be appropriate and beneficial to the investigation and is otherwise allowed by law.

No recording of a custodial interrogation should be destroyed or altered without written authorization from the prosecuting attorney and the Support Services Division Commander. Copies of recorded interrogations or interviews may be made in the same or a different format as the original recording, provided the copies are true, accurate and complete and are made only for authorized and legitimate law enforcement purposes.
Investigation and Prosecution

Recordings should not take the place of a thorough report and investigative interviews. Written statements from suspects should continue to be obtained when applicable.

600.4.2 MANDATORY RECORDING OF ADULTS
Any custodial interrogation of an adult who is suspected of having committed any murder shall be recorded in its entirety. The recording should be video with audio if reasonably feasible (Penal Code § 859.5).

This recording is not mandatory when (Penal Code § 859.5):

(a) Recording is not feasible because of exigent circumstances that are later documented in a report.
(b) The suspect refuses to have the interrogation recorded, including a refusal any time during the interrogation, and the refusal is documented in a report. If feasible, the refusal shall be electronically recorded.
(c) The custodial interrogation occurred in another state by law enforcement officers of that state, unless the interrogation was conducted with the intent to avoid the requirements of Penal Code § 859.5.
(d) The interrogation occurs when no member conducting the interrogation has a reason to believe that the individual may have committed murder. Continued custodial interrogation concerning that offense shall be electronically recorded if the interrogating member develops a reason to believe the individual committed murder.
(e) The interrogation would disclose the identity of a confidential informant or would jeopardize the safety of an officer, the individual being interrogated or another individual. Such circumstances shall be documented in a report.
(f) A recording device fails despite reasonable maintenance and the timely repair or replacement is not feasible.
(g) The questions are part of a routine processing or booking, and are not an interrogation.
(h) The suspect is in custody for murder and the interrogation is unrelated to a murder. However, if any information concerning a murder is mentioned during the interrogation, the remainder of the interrogation shall be recorded.

The Department shall maintain an original or an exact copy of the recording until a conviction relating to the interrogation is final and all appeals are exhausted or prosecution is barred by law (Penal Code § 859.5).

600.5 DISCONTINUATION OF INVESTIGATIONS
The investigation of a criminal case or efforts to seek prosecution should only be discontinued if one of the following applies:

(a) All reasonable investigative efforts have been exhausted, no reasonable belief that the person who committed the crime can be identified, and the incident has been documented appropriately.
Investigation and Prosecution

(b) The perpetrator of a misdemeanor has been identified and a warning is the most appropriate disposition.

1. In these cases, the investigator shall document that the person was warned and why prosecution was not sought.

2. Warnings shall not be given for felony offenses or other offenses identified in this policy or by law that require an arrest or submission of a case to a prosecutor.

(c) The case has been submitted to the appropriate prosecutor but no charges have been filed. Further investigation is not reasonable nor has the prosecutor requested further investigation.

(d) The case has been submitted to the appropriate prosecutor, charges have been filed, and further investigation is not reasonable, warranted or requested, and there is no need to take the suspect into custody.

(e) Suspects have been arrested, there are no other suspects, and further investigation is either not warranted or requested.

(f) Investigation has proven that a crime was not committed (see the Sexual Assault Investigations Policy for special considerations in these cases).

The Domestic Violence, Child Abuse Sexual Assault Investigations and Adult Abuse policies may also require an arrest or submittal of a case to a prosecutor.

600.6 COMPUTERS AND DIGITAL EVIDENCE

The collection, preservation, transportation and storage of computers, cell phones and other digital devices may require specialized handling to preserve the value of the related evidence. If it is anticipated that computers or similar equipment will be seized, officers should request that computer forensic examiners assist with seizing computers and related evidence. If a forensic examiner is unavailable, officers should take reasonable steps to prepare for such seizure and use the resources that are available.

600.7 INVESTIGATIVE USE OF SOCIAL MEDIA AND INTERNET SOURCES

Use of social media and any other Internet source to access information for the purpose of criminal investigation shall comply with applicable laws and policies regarding privacy, civil rights and civil liberties. Information gathered via the Internet should only be accessed by members while on-duty and for purposes related to the mission of this department. If a member encounters information relevant to a criminal investigation while off-duty or while using his/her own equipment, the member should note the dates, times and locations of the information and report the discovery to his/her supervisor as soon as practicable. The member, or others who have been assigned to do so, should attempt to replicate the finding when on-duty and using department equipment. Information obtained via the Internet should not be archived or stored in any manner other than department-established record keeping systems (see the Records Maintenance and Release and the Criminal Organizations policies).
600.7.1 ACCESS RESTRICTIONS

Information that can be accessed from any department computer, without the need of an account, password, email address, alias or other identifier (unrestricted websites), may be accessed and used for legitimate investigative purposes without supervisory approval.

Accessing information from any Internet source that requires the use or creation of an account, password, email address, alias or other identifier, or the use of nongovernment IP addresses, requires supervisor approval prior to access. The supervisor will review the justification for accessing the information and consult with legal counsel as necessary to identify any policy or legal restrictions. Any such access and the supervisor approval shall be documented in the related investigative report.

Accessing information that requires the use of a third party’s account or online identifier requires supervisor approval and the consent of the third party. The consent must be voluntary and shall be documented in the related investigative report.

Information gathered from any Internet source should be evaluated for its validity, authenticity, accuracy and reliability. Corroborative evidence should be sought and documented in the related investigative report.

Any information collected in furtherance of an investigation through an Internet source should be documented in the related report. Documentation should include the source of information and the dates and times that the information was gathered.

600.7.2 INTERCEPTING ELECTRONIC COMMUNICATION

Intercepting social media communications in real time may be subject to federal and state wiretap laws. Officers should seek legal counsel before any such interception.

600.8 CELLULAR COMMUNICATIONS INTERCEPTION TECHNOLOGY

The Support Services Division Commander is responsible for ensuring the following for cellular communications interception technology operations (Government Code § 53166):

(a) Security procedures are developed to protect information gathered through the use of the technology.

(b) A usage and privacy policy is developed that includes:

1. The purposes for which using cellular communications interception technology and collecting information is authorized.

2. Identification by job title or other designation of employees who are authorized to use or access information collected through the use of cellular communications interception technology.

3. Training requirements necessary for those authorized employees.

4. A description of how the Department will monitor the use of its cellular communications interception technology to ensure the accuracy of the information collected and compliance with all applicable laws.
5. Process and time period system audits.

6. Identification of the existence of any memorandum of understanding or other agreement with any other local agency or other party for the shared use of cellular communications interception technology or the sharing of information collected through its use, including the identity of signatory parties.

7. The purpose of, process for and restrictions on the sharing of information gathered through the use of cellular communications interception technology with other local agencies and persons.

8. The length of time information gathered through the use of cellular communications interception technology will be retained, and the process the local agency will utilize to determine if and when to destroy retained information.

Members shall only use approved devices and usage shall be in compliance with department security procedures, the department’s usage and privacy procedures and all applicable laws.

600.9 MODIFICATION OF CHARGES FILED
Members are not authorized to recommend to the prosecutor or to any other official of the court that charges on a pending case be amended or dismissed without the authorization of a Division Commander or the Chief of Police. Any authorized request to modify the charges or to recommend dismissal of charges shall be made to the prosecutor.

600.10 INITIAL INVESTIGATION

600.10.1 OFFICER RESPONSIBILITIES
An officer responsible for an initial investigation shall complete no less than the following:

(a) Make a preliminary determination of whether a crime has been committed by completing, at a minimum:

1. An initial statement from any witnesses or complainants.
2. A cursory examination for evidence.

(b) If information indicates a crime has occurred, the officer shall:

1. Preserve the scene and any evidence as required to complete the initial and follow-up investigation.
2. Determine if additional investigative resources (e.g., investigators or scene processing) are necessary and request assistance as required.
3. If assistance is warranted, or if the incident is not routine, notify a supervisor or the Watch Commander.
4. Make reasonable attempts to locate, identify and interview all available victims, complainants, witnesses and suspects.
5. Collect any evidence.
6. Take any appropriate law enforcement action.
7. Complete and submit the appropriate reports and documentation.
   
   (c) If the preliminary determination is that no crime occurred, determine what other action may be necessary, what other resources may be available, and advise the informant or complainant of this information.

600.10.2 PROFESSIONAL STAFF MEMBER RESPONSIBILITIES
A Professional Staff member assigned to any preliminary investigation is responsible for all investigative steps, except making any attempt to locate, contact or interview a suspect face-to-face or take any enforcement action. Should an initial investigation indicate that those steps are required, the assistance of an officer shall be requested.
Sexual Assault Investigations

601.1 POLICY
It is the policy of the Pleasant Hill Police Department that its members, when responding to reports of sexual assaults, will strive to minimize the trauma experienced by the victims, and will aggressively investigate sexual assaults, pursue expeditious apprehension and conviction of perpetrators, and protect the safety of the victims and the community.

601.2 PURPOSE AND SCOPE
The purpose of this policy is to establish guidelines for the investigation of sexual assaults. These guidelines will address some of the unique aspects of such cases and the effects that these crimes have on the victims.

Mandatory notifications requirements are addressed in the Child Abuse and Adult Abuse policies.

601.2.1 DEFINITIONS
Definitions related to this policy include:

**Sexual assault** - Any crime or attempted crime of a sexual nature, to include, but not limited to, offenses defined in Penal Code § 243.4, Penal Code § 261 et seq., and Penal Code § 285 et seq.

**Sexual Assault Response Team (SART)** - A multidisciplinary team generally comprised of advocates; law enforcement officers; forensic medical examiners, including sexual assault forensic examiners (SAFEs) or sexual assault nurse examiners (SANEs) if possible; forensic laboratory personnel; and prosecutors. The team is designed to coordinate a broad response to sexual assault victims.

601.3 INVESTIGATION CONSIDERATIONS

601.4 QUALIFIED INVESTIGATORS
Qualified investigators should be available for assignment of sexual assault investigations. These investigators should:

(a) Have specialized training in, and be familiar with, interview techniques and the medical and legal issues that are specific to sexual assault investigations.

(b) Conduct follow-up interviews and investigation.

(c) Present appropriate cases of alleged sexual assault to the prosecutor for review.

(d) Coordinate with other enforcement agencies, social service agencies and medical personnel as needed.

(e) Provide referrals to therapy services, victim advocates and support for the victim.

(f) Participate in or coordinate with SART.
Sexual Assault Investigations

601.5 REPORTING
In all reported or suspected cases of sexual assault, a report should be written and assigned for follow-up investigation. This includes incidents in which the allegations appear unfounded or unsubstantiated.

601.5.1 AUDITING CASE DISPOSITIONS
The Support Services Commander will ensure case dispositions are reviewed on a periodic basis using an identified group that is independent of the investigation process. The SART and/or victim advocates should be considered for involvement in this audit.

601.6 RELEASING INFORMATION TO THE PUBLIC
In cases where the perpetrator is not known to the victim, and especially if there are multiple crimes where more than one appear to be related, consideration should be given to releasing information to the public whenever there is a reasonable likelihood that doing so may result in developing helpful investigative leads. The Support Services Commander should weigh the risk of alerting the suspect to the investigation with the need to protect the victim and the public, and to prevent more crimes.

601.7 TRAINING
Subject to available resources, periodic training will be provided to:

(a) Members who are first responders. Training should include:
   1. Initial response to sexual assaults.
   2. Legal issues.
   3. Victim advocacy.
   4. Victim’s response to trauma.

(b) Qualified investigators who should receive advanced training on additional topics. Advanced training should include:
   1. Interviewing sexual assault victims.
   2. SART.
   3. Medical and legal aspects of sexual assault investigations.
   4. Serial crimes investigations.
   5. Use of community and other federal and state investigative resources, such as the Violent Criminal Apprehension Program (ViCAP).
   6. Techniques for communicating with victims to minimize trauma.

601.8 VICTIM INTERVIEWS
The primary considerations in sexual assault investigations, which begin with the initial call to Dispatch, should be the health and safety of the victim, the preservation of evidence, and
Sexual Assault Investigations

preliminary interviews to determine if a crime has been committed and to attempt to identify the suspect.

Whenever possible, a member of SART should be included in the initial victim interviews. An in-depth follow-up interview should not be conducted until after the medical and forensic examinations are completed and the personal needs of the victim have been met (e.g., change of clothes, bathing). The follow-up interview may be delayed to the following day based upon the circumstances. Whenever practicable, the follow-up interview should be conducted by a qualified investigator.

No opinion of whether the case is unfounded shall be included in the report.

Victims shall not be asked or required to take a polygraph examination (34 USC § 10451; Penal Code § 637.4).

Victims should be apprised of applicable victim’s rights provisions, as outlined in the Victim and Witness Assistance Policy.

601.8.1 VICTIM RIGHTS
Whenever there is an alleged sexual assault, the assigned officer shall accomplish the following:

(a) Advise the victim in writing of the right to have a victim advocate and a support person of the victim’s choosing present at any interview or contact by law enforcement, any other rights of a sexual assault victim pursuant to Penal Code § 680.2 and the right to have a person of the same or opposite gender present in the room during any interview with a law enforcement official unless no such person is reasonably available (Penal Code § 679.04).

(b) If the victim is transported to a hospital for any medical evidentiary or physical examination, the officer shall immediately cause the local rape victim counseling center to be notified (Penal Code § 264.2).

1. The officer shall not discourage a victim from receiving a medical evidentiary or physical examination (Penal Code § 697.04).

2. A support person may be excluded from the examination by the officer or the medical provider if his/her presence would be detrimental to the purpose of the examination (Penal Code § 264.2).

601.8.2 VICTIM CONFIDENTIALITY
Officers investigating or receiving a report of an alleged sex offense shall inform the victim, or the victim’s parent or guardian if the victim is a minor, that his/her name will become a matter of public record unless the victim requests that his/her name not be made public. The reporting officer shall document in his/her report that the victim was properly informed and shall include any related response made by the victim, or if a minor, any response made by the victim’s parent or guardian (Penal Code § 293).

Except as authorized by law, members of this department shall not publicly disclose the name of any victim of a sex crime who has exercised his/her right to confidentiality (Penal Code § 293).
Sexual Assault Investigations

601.9 COLLECTION AND TESTING OF BIOLOGICAL EVIDENCE
Whenever possible, a SART member should be involved in the collection of forensic evidence from the victim.

When the facts of the case indicate that collection of biological evidence is warranted, it should be collected regardless of how much time has elapsed since the reported assault.

If a drug-facilitated sexual assault is suspected, urine and blood samples should be collected from the victim as soon as practicable.

Subject to requirements set forth in this policy, biological evidence from all sexual assault cases, including cases where the suspect is known by the victim, should be submitted for testing.

Victims who choose not to assist with an investigation, do not desire that the matter be investigated or wish to remain anonymous may still consent to the collection of evidence under their control. In these circumstances, the evidence should be collected and stored appropriately.

601.9.1 COLLECTION AND TESTING REQUIREMENTS
Members investigating a sexual assault offense should take every reasonable step to ensure that DNA testing of such evidence is performed in a timely manner and within the time periods prescribed by Penal Code § 803(g). Generally, rape kits should be submitted to the crime lab within 20 days after being booked into evidence (Penal Code § 680).

In order to maximize the effectiveness of such testing and identify the perpetrator of any sexual assault, the assigned officer shall ensure that an information profile for the sexual assault kit evidence has been created in the California Department of Justice (DOJ) SAFE-T database within 120 days of collection and should further ensure that the results of any such test have been timely entered into and checked against both the DOJ Cal-DNA database and the Combined DNA Index System (CODIS) (Penal Code § 680.3).

If the assigned officer determines that a kit submitted to a private laboratory for analysis has not been tested within 120 days after submission, the officer shall update the SAFE-T database to reflect the reason for the delay in testing. The assigned officer shall continue to update the status every 120 days thereafter until the evidence has been analyzed or the statute of limitations has run (Penal Code § 680.3).

If, for any reason, DNA evidence in a sexual assault case in which the identity of the perpetrator is in issue and is not going to be analyzed within 18 months of the crime, the assigned officer shall notify the victim of such fact in writing no less than 60 days prior to the expiration of the 18-month period (Penal Code § 680(d)).

Additional guidance regarding evidence retention and destruction is found in the Property and Evidence Policy.

601.9.2 DNA TEST RESULTS
A SART member should be consulted regarding the best way to deliver biological testing results to a victim so as to minimize victim trauma, especially in cases where there has been a significant
delay in getting biological testing results (e.g., delays in testing the evidence or delayed DNA databank hits). Members should make reasonable efforts to assist the victim by providing available information on local assistance programs and organizations as provided in the Victim and Witness Assistance Policy.

(a) Upon receipt of a written request from a sexual assault victim or the victim’s authorized designee, members investigating sexual assault cases shall inform the victim of the status of the DNA testing of any evidence from the victim’s case (Penal Code § 680).

1. Although such information may be communicated orally, the assigned officer should thereafter follow-up with and retain a copy of confirmation by either written or electronic mail.

2. Absent a written request, no member of this department is required to, but may, communicate with the victim or the victim’s authorized designee regarding the status of any DNA testing.

(b) Subject to the commitment of sufficient resources to respond to requests for information, sexual assault victims shall further have the following rights (Penal Code § 680):

1. To be informed if a DNA profile of the assailant was obtained from the testing of the rape kit or other crime scene evidence from their case.

2. To be informed if there is a match between the DNA profile of the assailant developed from the evidence and a DNA profile contained in the DOJ Convicted Offender DNA Database, providing that disclosure would not impede or compromise an ongoing investigation.

3. To be informed if the DNA profile of the assailant developed from the evidence has been entered into the DOJ Databank of case evidence.

(c) Provided that the sexual assault victim or the victim’s authorized designee has kept the assigned officer informed with regard to current address, telephone number and email address (if available), any victim or the victim’s authorized designee shall, upon request, be advised of any known significant changes regarding the victim’s case (Penal Code § 680).

1. Although such information may be communicated orally, the assigned officer should thereafter follow-up with and retain a copy of confirmation by either written or electronic mail.

2. No officer shall be required or expected to release any information which might impede or compromise any ongoing investigation.

601.10 DISPOSITION OF CASES
If the assigned investigator has reason to believe the case is without merit, the case may be classified as unfounded only upon review and approval of the Investigations supervisor.

Classification of a sexual assault case as unfounded requires the Investigations supervisor to determine that the facts have significant irregularities with reported information and that the incident could not have happened as it was reported. When a victim has recanted his/her original
statement, there must be corroborating evidence that the allegations were false or baseless (i.e., no crime occurred) before the case should be determined as unfounded.

601.11 CASE REVIEW
The Investigations supervisor should ensure case dispositions are reviewed on a periodic basis, at least annually, using an identified group that is independent of the investigation process. The reviews should include an analysis of:

- Case dispositions.
- Decisions to collect biological evidence.
- Submissions of biological evidence for lab testing.

The SART and/or victim advocates should be considered for involvement in this audit. Summary reports on these reviews should be forwarded through the chain of command to the Chief of Police.
Asset Forfeiture Policy

602.1 PURPOSE AND SCOPE
This policy describes the authority and procedure for the seizure and liquidation of assets associated with specified controlled substances. This policy applies to forfeited or seized assets in the form of currency, real estate, automobiles, boats, aircraft, or any other items of value.

602.2 ASSET SEIZURE AUTHORITY
Health & Safety Code § 11470 provides for the forfeiture of any currency, and real and/or personal property, which represents proceeds or was used to facilitate narcotic activity in violation of the Health & Safety Code. The offense(s) must involve the manufacturing, distribution, transportation for sale, sales, possession for sale, offer for sale, offer to manufacture, or the conspiracy to commit certain Health & Safety Code violations.

Health & Safety Code § 11488(a) specifies that any peace officer having probable cause, may seize all moneys, negotiable instruments, securities, vehicles, boats, airplanes or other things of value which are forfeitable pursuant to Health & Safety Code § 11470 (e) or (f).

602.3 ASSET FORFEITURE PROCEDURE
Before seizing any currency, vehicle or personal property pursuant to Health & Safety Code § 11470, a patrol officer should contact a narcotics detective. The following guidelines will be observed:

(a) The seizing officer or the detective will serve all persons with Notice of Seizure and Intended Forfeiture forms which includes an attached County of Origin Claim form Opposing Forfeiture, and a forfeiture receipt. Disclaimers (English/Spanish) will be completed on all persons disclaiming ownership of currency, vehicle or property seized.

(b) When someone has made notification other than the Asset Forfeiture detective, a copy of all reports and all applicable asset forfeiture paperwork must be forwarded to the Asset Forfeiture detective in the Investigation Bureau, for review.

(c) Interview all persons involved concerning their possession of the seized assets, financial situation, employment, income and other resources. The interviewing officer shall ensure that Miranda warnings are given and waivers obtained before interviewing any person who is in custody.

(d) Attempt to promptly determine all lien holders or all persons who may have a legal interest in the seized currency, vehicle or property for further contact, investigation and notification.

(e) The seizure of assets subject to forfeiture is a civil proceeding filed through the county of origin, Office of the District Attorney Forfeiture Unit or Narcotic Enforcement Team.
Asset Forfeiture Policy

602.3.1 SEIZED PROPERTY
Property seized subject to forfeiture will be inventoried and booked into Property. The property will be checked through the Automated Property System to determine if the property has been stolen.

The property will be booked as evidence, with the notation in the comment section of the property form, "Seized Subject to Forfeiture." Property seized subject to forfeiture should be booked on a separate property form. No other evidence from the case should be booked on this form.

602.3.2 SEIZED CURRENCY
Currency seized subject to forfeiture will be counted by the seizing officer and a supervisor. The currency will be placed in a money envelope with the denomination of the currency, totals of each denomination and total amount of currency enclosed noted on the money envelope. The officer counting and supervisor verifying money will initial and sign the envelope when sealed. If the currency will not fit into a standard money envelope, place the currency in a larger envelope or bag, sealing and affixing a completed money envelope to the outside of the larger envelope or bag which contains the currency.

Currency seized will be given to and retained by a supervisor, for deposit into the Asset Forfeiture Account. If there is a need to book the currency into evidence/property, the currency will be booked on a single property form notating "subject to asset forfeiture" in the comments section of the property form. The seizing officer shall notify the Division Commander of the booked currency and the circumstances of the seizure as soon as possible.

602.3.3 SEIZED VEHICLES
Vehicles seized subject to forfeiture will be taken to a designated secure storage facility. A seized vehicle should not be impounded. The officer seizing the vehicle shall notify the detective supervisor of the seizure of the vehicle and circumstances of the seizure as soon as possible.

If the vehicle cannot be driven, a tow truck will be used to tow the vehicle to the storage facility.

Personal property located in a seized vehicle shall be removed and booked into Property as either evidence or for safekeeping.

602.4 ASSET FORFEITURE LOG
A computerized inventory of all asset forfeiture cases shall be kept in the Investigations Division. The inventory shall include the following:

- Case number
- Date of seizure
- Value
- Type of seizure (federal or state)
- Status of the seizure

Information maintained on the log will be provided to the Chief of Police or authorized staff, as requested.
602.5 PROCEEDS FROM FORFEITURE
Equitable shares received from seized assets shall be maintained in separate funds and shall be subject to accounting controls and annual financial audits.
Informants

603.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines for the use of informants.

603.1.1 DEFINITIONS
Definitions related to this policy include:

Informant - A person who covertly interacts with other individuals or suspects at the direction of, request of, or by agreement with the Pleasant Hill Police Department for law enforcement purposes. This also includes a person agreeing to supply information to the Pleasant Hill Police Department for a benefit (e.g., a quid pro quo in the form of a reduced criminal penalty, money).

603.2 GUIDELINES FOR HANDLING CONFIDENTIAL INFORMANTS
Eyewitness Identification

604.1 PURPOSE AND SCOPE
This policy sets forth guidelines to be used when members of this department employ eyewitness identification techniques.

604.1.1 DEFINITIONS
Definitions related to the policy include:

Eyewitness identification process - Any field identification, live lineup or photographic identification.

Field identification - A live presentation of a single individual to a witness following the commission of a criminal offense for the purpose of identifying or eliminating the person as the suspect.

Live lineup - A live presentation of individuals to a witness for the purpose of identifying or eliminating an individual as the suspect.

Photographic lineup - Presentation of photographs to a witness for the purpose of identifying or eliminating an individual as the suspect.

604.2 POLICY
The Pleasant Hill Police Department will strive to use eyewitness identification techniques, when appropriate, to enhance the investigative process and will emphasize identifying persons responsible for crime and exonerating the innocent.

604.3 INTERPRETIVE SERVICES
Members should make a reasonable effort to arrange for an interpreter before proceeding with eyewitness identification if communication with a witness is impeded due to language or hearing barriers.

Before the interpreter is permitted to discuss any matter with the witness, the investigating member should explain the identification process to the interpreter. Once it is determined that the interpreter comprehends the process and can explain it to the witness, the eyewitness identification may proceed as provided for within this policy.

604.4 EYEWITNESS IDENTIFICATION PROCESS AND FORM
The Support Services Commander or designee shall be responsible for the development and maintenance of an eyewitness identification process for use by members when they are conducting eyewitness identifications.

The process should include appropriate forms or reports that provide:

(a) The date, time and location of the eyewitness identification procedure.

(b) The name and identifying information of the witness.
Eyewitness Identification

(c) The name of the person administering the identification procedure.

(d) If applicable, the names of all of the individuals present during the identification procedure.

(e) An instruction to the witness that it is as important to exclude innocent persons as it is to identify a perpetrator.

(f) An instruction to the witness that the perpetrator may or may not be among those presented and that the witness is not obligated to make an identification.

(g) If the identification process is a photographic or live lineup, an instruction to the witness that the perpetrator may not appear exactly as he/she did on the date of the incident.

(h) An instruction to the witness that the investigation will continue regardless of whether an identification is made by the witness.

(i) A signature line where the witness acknowledges that he/she understands the identification procedures and instructions.

(j) A statement from the witness in the witness's own words describing how certain he/she is of the identification or non-identification. This statement should be taken at the time of the identification procedure.

The process and related forms should be reviewed at least annually and modified when necessary.

604.5 EYEWITNESS IDENTIFICATION
Members are cautioned not to, in any way, influence a witness as to whether any subject or photo presented in a lineup is in any way connected to the case.

Members should avoid mentioning that:

• The individual was apprehended near the crime scene.
• The evidence points to the individual as the suspect.
• Other witnesses have identified or failed to identify the individual as the suspect.

In order to avoid undue influence, witnesses should view suspects or a lineup individually and outside the presence of other witnesses. Witnesses should be instructed to avoid discussing details of the incident or of the identification process with other witnesses.

Whenever feasible, the eyewitness identification procedure should be audio and/or video recorded and the recording should be retained according to current evidence procedures.

604.6 DOCUMENTATION
A thorough description of the eyewitness process and the results of any eyewitness identification should be documented in the case report.
Eyewitness Identification

If a photographic lineup is utilized, a copy of the photographic lineup presented to the witness should be included in the case report. In addition, the order in which the photographs were presented to the witness should be documented in the case report.

604.7 PHOTOGRAPHIC LINEUP AND LIVE LINEUP CONSIDERATIONS
When practicable, the member presenting the lineup should not be involved in the investigation of the case or know the identity of the suspect. When this is not possible, the member presenting the lineup must take the utmost care not to communicate the identity of the suspect in any way.

Individuals in the lineup should reasonably match the description of the perpetrator provided by the witness and should bear similar characteristics to avoid causing any person to unreasonably stand out. In cases involving multiple suspects, a separate lineup should be conducted for each suspect. The suspects should be placed in a different order within each lineup.

The member presenting the lineup should do so sequentially (i.e., show the witness one person at a time) and not simultaneously. The witness should view all persons in the lineup.

A live lineup should only be used before criminal proceedings have been initiated against the suspect. If there is any question as to whether any criminal proceedings have begun, the investigating member should contact the appropriate prosecuting attorney before proceeding.

604.8 FIELD IDENTIFICATION CONSIDERATIONS
Field identifications, also known as field elimination show-ups or one-on-one identifications, may be helpful in certain cases, where exigent circumstances make it impracticable to conduct a photo or live lineup identifications. A field elimination or show-up identification should not be used when independent probable cause exists to arrest a suspect. In such cases a live or photo lineup is the preferred course of action if eyewitness identification is contemplated.

When initiating a field identification, the member should observe the following guidelines:

(a) Obtain a complete description of the suspect from the witness.
(b) Assess whether a witness should be included in a field identification process by considering:
   1. The length of time the witness observed the suspect.
   2. The distance between the witness and the suspect.
   3. Whether the witness could view the suspect’s face.
   4. The quality of the lighting when the suspect was observed by the witness.
   5. Whether there were distracting noises or activity during the observation.
   6. Any other circumstances affecting the witness’s opportunity to observe the suspect.
   7. The length of time that has elapsed since the witness observed the suspect.
Eyewitness Identification

(c) If safe and practicable, the person who is the subject of the show-up should not be handcuffed or in a patrol vehicle.

(d) When feasible, members should bring the witness to the location of the subject of the show-up, rather than bring the subject of the show-up to the witness.

(e) The person who is the subject of the show-up should not be shown to the same witness more than once.

(f) In cases involving multiple suspects, witnesses should only be permitted to view the subjects of the show-up one at a time.

(g) The person who is the subject of the show-up should not be required to put on clothing worn by the suspect, to speak words uttered by the suspect or to perform other actions mimicking those of the suspect.

(h) If a witness positively identifies a subject of the show-up as the suspect, members should not conduct any further field identifications with other witnesses for that suspect. In such instances members should document the contact information for any additional witnesses for follow up, if necessary.
604.9  LINE-UP IDENTIFICATION FORM

Lineup Identification Form

Case Number: ___________________________  Date and Time: _____________________________

Officer presenting lineup: _____________________________

Witness: Name/DOB: _____________________________

Others present during identification: _____________________________

Order of photographs shown (Use AFIS # if using Aries, or a CDL #)

__________________________  ______________  ______________  ______________  ______________

Witness Admonition: (Should be read prior to displaying the sequential lineup – If changed for investigative reasons, document change on report)

1. I am going to show you a set of photographs; the person who committed this crime may or may not be shown.
2. It is just as important to clear innocent persons as it is to identify those who are guilty.
3. Individuals may not appear exactly as they did. Appearances are subject to change.
4. Regardless of the results, the investigation will continue.

In addition, instruct the witness that:

5. Photos will be shown one at a time and in random order.
6. Take as much time as you need.
7. If you see someone you recognize, let me know.
8. All photos will be shown, even if identification is made.
9. You may view the photographs as many times as necessary.

INVESTIGATOR’S NOTE: If the witness asks to see a particular photograph again, you must show all photographs again in the same order. If identification is made, ask the witness to state, in his or her own words, how certain he or she is of the identification. (Don’t use scale, i.e. 1-10 or percentages)

Remember to record both positive identifications and non-identification results in writing, including the witness’ own words regarding how sure.

Witness Statement regarding identification: __________________________________________________

___________________________________________________________________________________

___________________________________________________________________________________

___________________________________________________________________________________

___________________________________________________________________________________

Viewer’s Signature/Date ___________________________  Officer Signature/ Date ___________________________
Eyewitness Identification
Investigations Division Vehicles

605.1 PURPOSE AND SCOPE
The purpose of this policy is to explain the Division policy with regard to the use of unmarked Department vehicles by personnel assigned to this Division.

605.2 PROCEDURES

(a) Each investigator will be assigned a specific unmarked vehicle for their use in the followup investigation of assigned cases or other assigned duties.

(b) Investigators may drive the vehicles to and from work. Vehicles should be garaged if possible and if not possible, left locked.

(c) Persons other than employees will not drive the vehicles (c) Vehicles should not be routinely used for transportation during offduty hours.

(d) Investigators may carry a shotgun assigned to them in the trunk of their vehicle. Off duty investigators who carry weapons in the trunks of their vehicle will park the car at their residence locked in a secure location such as an enclosed garage¾ if this is not possible, the investigator will place the weapon in the armory prior to parking the vehicle at their residence while off duty.
Investigator Monthly Statistics

606.1 PURPOSE AND SCOPE
This policy establishes the policy and procedures for all investigators regarding their monthly report to the Division Commander of their monthly case load activity.

606.2 POLICY
It is the policy of the Support Services Division, Investigations Section, that investigators may submit a monthly recap of their case load activity to the Division Commander at his/her discretion. The format will be prescribed by the Division Commander.

The Support Services Division Commander may designate an employee to prepare the statistical report.

All investigators will submit their monthly recap to the Division Commander not later than the fifth (5th) calendar day after the end of each month, unless approval for an extension has been obtained from the Division Commander.
Priority of Report Assignments

607.1 PURPOSE AND SCOPE
This policy establishes guidelines for determining which cases will be assigned to a detective for followup investigation. This policy also addresses the anticipated length of time a detective will have to complete the followup.

607.2 PROCEDURE
All reports which are reviewed by the Division Commander, or designee, will consider the following factors when assigning cases for follow up.

(a) Suspect in custody. This priority includes serious felony cases requiring immediate followup. Follow up should be completed within time limits for obtaining a criminal complaint.

(b) The case contains a named suspect and there is sufficient evidence to probably obtain an arrest warrant. Investigators should strive to accomplish follow up as soon as possible and within five to seven business days upon assignment, depending upon the type of case or offense. Investigators should give priority to crimes against persons, domestic violence, child abuse, elder abuse, and missing person cases.

(c) A possible suspect is listed in the report, or a vehicle license number for the suspect is available. Investigators should strive to accomplish follow up as soon as possible and up to 14-30 days after assignment, depending upon the type of case or offense.

(d) Investigative leads are available, the loss or injury is extensive, a suspect was seen but not known, a distinctive vehicle was seen, the crime or M.O. fits a pattern of crimes currently being investigated. A disposition on these cases should be made as soon as possible and up to 30 days after assignment, depending upon the type of case and offense.

(e) There are insufficient leads to justify investigative followup. A copy of the report will be circulated to either all personnel or to the detective assigned to that crime classification for review only.

(f) Nothing in this policy and procedures is intended to prevent an investigator from requesting an extension on the normal due date for completion of the followup or from conducting a followup investigations as time permits or if information becomes available.

(g) Cases will also be followed up per Division Commander or supervisory direction.
Search Warrant Protocol

608.1 PURPOSE AND SCOPE
Refer to Policy Manual section 323 for the Search Warrant protocol employed by the Investigations Division.
Alarm Permits

609.1 PURPOSE AND SCOPE
This policy explains the Support Services Division responsibilities regarding the application for and the monitoring of responses to both business and residential alarms. This policy is based upon the provisions of the Pleasant Hill Municipal Code and the provisions of the Municipal Code will be followed by Department employees regarding alarms.

609.2 POLICY
It is the policy of this Department that all alarms within the City limits will be registered with this agency. A fee will be charged for the registration of all such alarms, and fines or a nonresponse status will be imposed for excessive false alarms per the provisions of the Pleasant Hill Municipal Code.
Investigations Dress Code

610.1 PURPOSE AND SCOPE
This policy provides guidelines for Investigations Section personnel regarding the attire that will be considered appropriate while assigned to the Division.

610.2 POLICY
It is the policy of this Department and the Support Services Division that, unless exempted under the specifications listed below, all personnel assigned to the Investigations Section will attire themselves in civilian clothing which would be appropriate for wear in a professional business office.

Exceptions to this policy may be authorized, for limited duration, to meet specific needs or functions, by the Division Commander.

610.3 PROVISIONS
(a) Sworn Male Investigators (except Narcotics Investigator): All such personnel will normally be expected to wear a business suit or sport coat and tie. Sweaters may be worn over the shirt and tie as needed. The pants worn shall be that which is appropriate for the type of coat worn. Dress shoes will be worn.

(b) Sworn Female Investigators (except Narcotics Investigator): All such personnel will normally be expected to wear professional business attire such as a dress, pants and blouse/sweater, or a business suit. Appropriate shoes would include shoes with heels which do not cause difficulty in maintaining balance in nonroutine or in hazardous situations.

(c) Investigators engaged in preplanned enforcement duties or search warrant services will wear "raid vests" or similar attire and body armor. Exceptions can be made per supervisory direction. The Division Commander may also authorize non business attire for search warrant services or enforcement activity. Investigators will wear suit coats, blazers, or jackets to conceal duty weapons while in public except when serving a search warrant or engaged in enforcement duties. Investigators responding to an after hours call out will arrive at the Department or scene of call out in business attire unless otherwise directed by their supervisor.

(d) Sworn Narcotics Investigator: The officer assigned to this position will be exempted from the above specifications and guidelines. He/she may wear that clothing which is appropriate for the "community" in which they will be working. T-Shirts with offensive slogans or emblems will not be worn. The officer assigned to this position will also be exempted from the Policy Manual provisions regarding hair styles and facial hair.

(e) Investigations Division Secretary: This employee will wear civilian business attire.

(g) School Resource Officer, Community Resource Officer: Duty uniform; see the Uniform policy.
Exceptions to these procedures may be authorized by the Division Commander, or designee, as dictated by the needs of the Department.
Masseuse Permits

611.1 PURPOSE AND SCOPE
This policy provides guidelines for registering Massage Establishments within the City limits. This policy is based upon the provisions of California law and the Pleasant Hill Municipal Code. The Municipal Code will be followed by employees when registering Massage Establishments.

611.2 CREDENTIALS
No one will be allowed to engage in providing massages as an occupation without first obtaining the required permit from the California Massage Therapy Council (CAMTC), or be an exempt therapist as provide for by the municipal code.

611.3 PROCEDURES
All applications for massage establishment registration will be forwarded to the Investigation section for processing.

The assigned Investigations section employee will:

(a) Ensure the application includes: name, address and telephone of the establishment; name address and telephone of the owner(s) and manager(s); contact information for the primary person in charge; name, proof of certification of each employee or independent contractor who will offer massage at (or through) the establishment; and indicate if outcall massage services are offered.

(b) The assigned employee will verify the certification from CAMTC through the CAMTC website.

(c) The assigned employee will periodically update the list of massage therapists or practitioners who are working at the establishment as needed throughout the year.

(d) Confirm that the applicant has a business license. If massage is practiced at the therapists or practitioner's own home the employee will confirm that the applicant has also obtained a home occupation permit.

(e) Inquire with the applicant to determine the applicant's level of ownership in the business. If the applicant owns 5% or more of the massage establishment and is not a certified massage practitioner or certified massage therapist, a background check is required, as set forth in PHMC §6.30.090.

(f)

(g) Draw a case number with the classification of MASG.
(h) When the application is complete and all associated documents have been provided, the Massage Establishment application will be submitted to the Chief of Police or designee for review and issuance of a Massage Establishment Permit.

(i) The original of the application and all supporting documents will be maintained in the Investigations section Massage Establishment File.

(j) If the application is denied as a result of information obtained pursuant to the above procedures, the applicant will be notified of the denial and the reason(s) for the denial by letter from the Office of the Chief of Police.

(k) Any violations of city ordinance by an establishment will be reported to the Support Services Division Commander and forwarded to the Chief of Police. In addition, any unprofessional conduct by a massage therapist or practitioner will be documented on the CAMTC Declaration of Unprofessional Conduct form and forwarded to the CAMTC.
Sex and Arson Registrants

612.1 PURPOSE AND SCOPE
The purpose of this Policy is to provide uniform guidelines in registering those persons who present themselves to this Department in compliance with a court directive to register as a sex or narcotic offender.

612.2 POLICY
It is the policy of this Department that Investigations Bureau personnel will process all narcotics, arson, and sex registrants. If an investigator is unavailable when a registrant comes into PHPD, the registrant will be told to return during normal business hours (0830-1700 hours) Monday through Friday, for processing. Narcotics and arson registrants may be processed by non sworn personnel.

612.3 PROCEDURES
(a) The registrant shall be required to provide our Department with a copy of the DOJ form entitled "Statement of Registrant" concerning the reason for his/her registration. The processing cannot be completed without this form.
(b) The employee handling the registration process shall:
1. Initiate a PHPD case number using the classification of "Registration" ("REGS").
2. Examine the DOJ form (Statement of Registrant) concerning the reason(s) for registration, and ensure that the form is complete and contains full identifying information on the registrant. The investigator shall then make a photocopy of this form for PHPD files and return the original of the form to the registrant.
(c) The investigator shall obtain three complete and legible sets of fingerprints of the registrant using the Department of Justice, Bureau of Identification, Registration, fingerprint cards. The investigator shall ensure that the back of the fingerprint cards are completed and then have the registrant sign the print cards in the appropriate location.
(d) The investigator shall then complete two copies of the Department of Justice, Temporary Registration Receipt (Form SS8072) ensuring that both sides of the form are completed. One copy of this form is then given to the registrant, and the other copy is kept for the report. Both copies must have the right index fingerprint of the registrant imprinted in the specified location on the form.
(e) A fullface photograph of the registrant must be obtained by the investigator.
(f) The investigator shall retain one original fingerprint card for our files.
(g) Two original fingerprint cards and a photograph of the registrant will be forwarded to DOJ.
(h) The investigator shall write a report on the registering of the subject and include all photocopies, and other documents obtained, with the report to be included in the case file.
Sex registrant files will be maintained in the Investigations Bureau.
Investigator Call Outs

613.1 PURPOSE AND SCOPE
This policy addresses the procedure to be followed when Investigations section personnel are called out to assist other members of this or any other agency.

613.2 POLICY
The investigator who is most appropriate to respond should discuss the situation with the Watch Commander, or the officer who is most familiar with the case prior to responding, if possible. In any instance where the Watch Commander feels the investigator is needed, the investigator will respond regardless of his/her opinion as to the necessity.

613.3 PROCEDURE
The specific procedures to be followed in the notification or call out of any investigator, as well as the requirements for notification by the investigator to his/her supervisor, are contained in Policy Manual § 358. Division personnel are directed to consult that policy for specific information.
Operations Planning and Deconfliction

614.1 PURPOSE AND SCOPE
This policy provides guidelines for planning, deconfliction and execution of high-risk operations. Additional guidance on planning and serving high-risk warrants is provided in the Warrant Service Policy.

614.1.1 DEFINITIONS
Definitions related to this policy include:

High-risk operations - Operations, including service of search and arrest warrants and sting operations, that are likely to present higher risks than are commonly faced by officers on a daily basis, including suspected fortified locations, reasonable risk of violence or confrontation with multiple persons, or reason to suspect that persons anticipate the operation.

614.2 POLICY
It is the policy of the Pleasant Hill Police Department to properly plan and carry out high-risk operations, including participation in a regional deconfliction system, in order to provide coordination, enhance the safety of members and the public, decrease the risk of compromising investigations and prevent duplicating efforts.

614.3 OPERATIONS DIRECTOR
The Central County SWAT lieutenant liaison is designated as the operations director for the Pleasant Hill Police Department. In his/her absence another Command Staff member may assume the role of the operations director.

The operations director will develop and maintain a risk assessment form to assess, plan and coordinate operations. This form should provide a process to identify high-risk operations.

The operations director should review risk assessment forms with involved supervisors to determine whether a particular incident qualifies as a high-risk operation. This form will provide a process to identify high-risk operations. The director will also have the responsibility for coordinating operations that are categorized as high risk.

614.4 RISK ASSESSMENT

614.4.1 RISK ASSESSMENT FORM PREPARATION
Officers assigned as operational leads for any operation that may qualify as a high-risk operation shall complete a risk assessment form.

When preparing the form, the officer should query all relevant and reasonably available intelligence resources for information about the subject of investigation, others who may be present and the involved location. These sources may include regional intelligence and criminal justice databases,
target deconfliction systems, firearm records, commercial databases and property records. Where appropriate, the officer should also submit information to these resources.

The officer should gather available information that includes, but is not limited to:

(a) Photographs, including aerial photographs, if available, of the involved location, neighboring yards and obstacles.
(b) Maps of the location.
(c) Diagrams of any property and the interior of any buildings that are involved.
(d) Historical information about the subject of investigation (e.g., history of weapon possession or use, known mental illness, known drug use, threats against police, gang affiliation, criminal history).
(e) Historical information about others who may be present at the location (e.g., other criminals, innocent third parties, dependent adults, children, animals).
(f) Obstacles associated with the location (e.g., fortification, booby traps, reinforced doors/windows, surveillance measures, number and type of buildings, geographic and perimeter barriers, the number and types of weapons likely to be present, information that suggests the presence of explosives, chemicals or other hazardous materials, the potential for multiple dwellings or living spaces, availability of keys/door combinations).
(g) Other environmental factors (e.g., nearby venues such as schools and day care centers, proximity of adjacent homes or other occupied buildings, anticipated pedestrian and vehicle traffic at the time of service).
(h) Other available options that may minimize the risk to officers and others (e.g., making an off-site arrest or detention of the subject of investigation).

614.4.2 RISK ASSESSMENT REVIEW
Officers will present the risk assessment form and other relevant documents (such as copies of search warrants and affidavits and arrest warrants) to their supervisor and the operations director.

The supervisor and operations director shall confer and determine the level of risk. Supervisors should take reasonable actions if there is a change in circumstances that elevates the risks associated with the operation.

614.4.3 HIGH-RISK OPERATIONS
If the operations director, after consultation with the involved supervisor, determines that the operation is high risk, the operations director should:

(a) Determine what resources will be needed at the location, and contact and/or place on standby any of the following appropriate and available resources:

   1. Central County Regional SWAT
   2. Additional personnel
   3. Outside agency assistance
   4. Special equipment
5. Medical personnel  
6. Persons trained in negotiation  
7. Additional surveillance  
8. Canines  
9. Investigations or analytical personnel to assist with cataloguing seizures  
10. Forensic specialists  
11. Specialized mapping for larger or complex locations  
(b) Contact the appropriate department members or other agencies as warranted to begin preparation.  
(c) Ensure that all legal documents such as search warrants are complete and have any modifications reasonably necessary to support the operation.  
(d) Coordinate the actual operation.

**614.5 DECONFLICTION**

Deconfliction systems are designed to identify persons and locations associated with investigations or law enforcement operations and alert participating agencies when others are planning or conducting operations in close proximity or time or are investigating the same individuals, groups or locations.

The officer who is the operations lead shall ensure the subject of investigation and operations information have been entered in an applicable deconfliction system to determine if there is reported conflicting activity. This should occur as early in the process as practicable, but no later than two hours prior to the commencement of the operation. The officer should also enter relevant updated information when it is received.

If any conflict is discovered, the supervisor will contact the involved jurisdiction and resolve the potential conflict before proceeding.

**614.6 OPERATIONS PLAN**

The operations director should ensure that a written operations plan is developed for all high-risk operations. Plans should also be strongly considered for other operations that would benefit from having a formal plan.

The plan should address such issues as:

(a) Operation goals, objectives and strategies.

(b) Operation location and people:

1. The subject of investigation (e.g., history of weapon possession/use, known mental illness issues, known drug use, threats against police, gang affiliation, criminal history)
Operations Planning and Deconfliction

2. The location (e.g., fortification, booby traps, reinforced doors/windows, surveillance cameras and/or lockouts, number/type of buildings, geographic and perimeter barriers, the number and types of weapons likely to be present, information that suggests the presence of explosives, chemicals or other hazardous materials, the potential for multiple dwellings or living spaces, availability of keys/door combinations), including aerial photos, if available, and maps of neighboring yards and obstacles, diagrams and other visual aids.

3. Other environmental factors (e.g., nearby venues such as schools and day care centers, proximity of adjacent homes or other occupied buildings, anticipated pedestrian and vehicle traffic at the time of service).

4. Identification of other people who may be present in or around the operation, such as other criminal suspects, innocent third parties and children.

(c) Information from the risk assessment form by attaching a completed copy in the operational plan.

1. The volume or complexity of the information may indicate that the plan includes a synopsis of the information contained on the risk assessment form to ensure clarity and highlighting of critical information.

(d) Participants and their roles.

1. An adequate number of uniformed officers should be included in the operation team to provide reasonable notice of a legitimate law enforcement operation.

2. How all participants will be identified as law enforcement.

(e) Whether deconfliction submissions are current and all involved individuals, groups and locations have been deconflicted to the extent reasonably practicable.

(f) Identification of all communications channels and call-signs.

(g) Use of force issues.

(h) Contingencies for handling medical emergencies (e.g., services available at the location, closest hospital, closest trauma center).

(i) Plans for detaining people who are not under arrest.

(j) Contingencies for handling children, dependent adults, animals and other people who might be at the location in accordance with the Child Abuse, Adult Abuse, Child and Dependent Adult Safety and Animal Control policies.

(k) Communications plan

(l) Responsibilities for writing, collecting, reviewing and approving reports.

(m) Required safety equipment to minimally include; a jacket, vest, or other apparel that clearly identifies the wearer as a law enforcement officer; body armor; a service weapon; and a portable radio. A bullet resistant helmet may also be required at the direction of the operations director.
614.6.1 OPERATIONS PLAN RETENTION
Since the operations plan contains intelligence information and descriptions of law enforcement tactics, it shall not be filed with the report. The operations plan shall be stored separately and retained in accordance with the established records retention schedule.

614.7 OPERATIONS BRIEFING
A briefing should be held prior to the commencement of any high-risk operation to allow all participants to understand the operation, see and identify each other, identify roles and responsibilities and ask questions or seek clarification as needed. Anyone who is not present at the briefing should not respond to the operation location without specific supervisory approval.

(a) The briefing should include a verbal review of plan elements, using visual aids, to enhance the participants’ understanding of the operations plan.

(b) All participants should be provided a copy of the operations plan and search warrant, if applicable. Participating personnel should be directed to read the search warrant and initial a copy that is retained with the operation plan. Any items to be seized should be identified at the briefing.

(c) The operations director shall ensure that all participants are visually identifiable as law enforcement officers.

   1. Exceptions may be made by the operations director for officers who are conducting surveillance or working under cover. However, those members exempt from visual identification should be able to transition to a visible law enforcement indicator at the time of enforcement actions, such as entries or arrests, if necessary.

(d) The briefing should include details of the communications plan.

   1. It is the responsibility of the operations director to ensure that Dispatch is notified of the time and location of the operation, and to provide a copy of the operation plan prior to officers arriving at the location.

   2. If the radio channel needs to be monitored by Dispatch, the dispatcher assigned to monitor the operation should attend the briefing, if practicable, but at a minimum should receive a copy of the operation plan.

   3. The briefing should include a communications check to ensure that all participants are equipped with a portable radio and are able to communicate with the available equipment on the designated radio channel.

614.8 CENTRAL COUNTY REGIONAL SWAT PARTICIPATION (CCSWAT)
If the operations director determines that CCSWAT participation is appropriate, the director and the CCSWAT commander shall work together to develop a written plan. The CCSWAT commander shall assume operational control until all persons at the scene are appropriately detained and it is safe to begin a search. When this occurs, the CCSWAT supervisor shall transfer control of the scene to the handling supervisor. This transfer should be communicated to the officers present.
614.9 MEDIA ACCESS
No advance information regarding planned operations shall be released without the approval of the Chief of Police. Any media inquiries or press release after the fact shall be handled in accordance with the News Media Relations Policy.

614.10 OPERATIONS DEBRIEFING
High-risk operations should be debriefed as soon as reasonably practicable. The debriefing should include as many participants as possible. This de brief may be separate from any CCSWAT debriefing.

614.11 TRAINING
The Professional Standards Sergeant should ensure officers and CCSWAT team members who participate in operations subject to this policy should receive periodic training including, but not limited to, topics such as legal issues, deconfliction practices, operations planning concepts and reporting requirements.
Chapter 7 - Equipment
Department Owned and Personal Property

700.1 PURPOSE AND SCOPE
Department employees are expected to properly care for department property assigned or entrusted to them. Employees may also suffer occasional loss or damage to personal or department property while performing their assigned duty. Certain procedures are required depending on the loss and ownership of the item.

700.2 CARE OF DEPARTMENTAL PROPERTY
Employees shall be responsible for the safekeeping, serviceable condition, proper care, use and replacement of department property assigned or entrusted to them. An employee’s intentional or negligent abuse or misuse of department property may lead to discipline including, but not limited to the cost of repair or replacement.

(a) Employees shall promptly report through their chain of command, any loss, damage to, or unserviceable condition of any department issued property or equipment assigned for their use.

(b) The use of damaged or unserviceable department property should be discontinued as soon as practical and replaced with comparable Department property as soon as available and following notice to a supervisor.

(c) Except when otherwise directed by competent authority or required by exigent circumstances, department property shall only be used by those to whom it was assigned. Use should be limited to official purposes and in the capacity for which it was designed.

(d) Department property shall not be thrown away, sold, traded, donated, destroyed, or otherwise disposed of without proper authority.

(e) In the event that any Department property becomes damaged or unserviceable, no employee shall attempt to repair the property without prior approval of a supervisor.

700.3 FILING CLAIMS FOR PERSONAL PROPERTY
Claims for reimbursement for damage or loss of personal property must be made on the proper form. This form is submitted to the employee’s immediate supervisor. The supervisor may require a separate written report of the loss or damage.

The supervisor shall direct a memo to the appropriate Division Commander, which shall include the results of his/her investigation and whether the employee followed proper procedures. The supervisor’s report shall address whether reasonable care was taken to prevent the loss or damage.
Department Owned and Personal Property

Upon review by staff and a finding that no misconduct or negligence was involved, repair or replacement may be recommended by the Chief of Police who will then forward the claim to the Finance Department.

The Department will not replace or repair luxurious or overly expensive items (jewelry, exotic equipment, etc.) that are not reasonably required as a part of work.

700.3.1 REPORTING REQUIREMENT
A verbal report shall be made to the employee's immediate supervisor as soon as circumstances permit.

A written report shall be submitted before the employee goes off duty or within the time frame directed by the supervisor to whom the verbal report is made.

700.4 LOSS OR DAMAGE OF PROPERTY OF ANOTHER
Officers and other employees intentionally or unintentionally may cause damage to the real or personal property of another while performing their duties. Any employee who damages or causes to be damaged any real or personal property of another while performing any law enforcement functions, regardless of jurisdiction, shall report it as provided below.

(a) A verbal report shall be made to the employee's immediate supervisor as soon as circumstances permit.

(b) A written report shall be submitted before the employee goes off duty or within the time frame directed by the supervisor to whom the verbal report is made.

700.4.1 DAMAGE BY PERSON OF ANOTHER AGENCY
If employees of another jurisdiction cause damage to real or personal property belonging to the City, it shall be the responsibility of the City of Pleasant Hill employee present or the City of Pleasant Hill employee responsible for the property to make a verbal report to his/her immediate supervisor as soon as circumstances permit. The employee shall submit a written report before going off duty or as otherwise directed by the supervisor.

These written reports, accompanied by the supervisor's written report, shall promptly be forwarded to the appropriate Division Commander.
Personal Communication Devices

701.1 PURPOSE AND SCOPE
The purpose of this policy is to establish guidelines for the use of mobile telephones and communication devices, whether issued or funded by the Department or personally owned, while on-duty or when used for authorized work-related purposes.

This policy generically refers to all such devices as Personal Communication Devices (PCDs) but is intended to include all mobile telephones, personal digital assistants (PDAs), wireless capable tablets and similar wireless two-way communications and/or portable Internet access devices. PCD use includes, but is not limited to, placing and receiving calls, text messaging, blogging and microblogging, emailing, using video or camera features, playing games and accessing sites or services on the Internet.

701.2 POLICY
The Pleasant Hill Police Department allows members to utilize department-issued or funded PCDs and to possess personally owned PCDs in the workplace, subject to certain limitations. Any PCD used while on-duty, or used off-duty in any manner reasonably related to the business of the Department, will be subject to monitoring and inspection consistent with the standards set forth in this policy.

The inappropriate use of a PCD while on-duty may impair officer safety. Additionally, members are advised and cautioned that the use of a personally owned PCD either on-duty or after duty hours for business-related purposes may subject the member and the member’s PCD records to civil or criminal discovery or disclosure under applicable public records laws.

Members who have questions regarding the application of this policy or the guidelines contained herein are encouraged to seek clarification from supervisory personnel.

701.2.1 INDIVIDUALLY OWNED PCD
Employees may carry their own PCD while on duty subject to the following conditions:

(a) Carrying an individually-owned personal communication device is optional.
(b) The device shall be purchased, used and maintained at the employee’s expense.

701.2.2 USE OF PERSONAL COMMUNICATION DEVICES
PCDs, whether provided by the Department or personally-owned, should only be used by on-duty employees for legitimate department business except as provided for below. Employees may use a PCD to communicate with other personnel in those situations where the use of the radio is either impractical or not feasible. PCDs however, should not be used to replace regular radio communications. Calls and communication related to events should still occur using the police radio. This is due to safety and improved overall Department effectiveness; the radio allows all personnel to be aware of various situations.
Personal Communication Devices

PCDs are not meant for use in lieu of the MDS for car to car communications.

(a) PCDs shall not be carried in a manner that allows them to be generally visible while in uniform.

(b) PCD's may not be used to conduct personal business while on duty except when brief personal communications may be warranted by the circumstances (e.g., inform family of extended hours). While employee's may use personally owned PCDs for personal business during authorized breaks, such usage should be limited as much as practical to areas where the communication will not be seen or heard by members of the public.

(c) Extended or frequent use of department-issued PCDs or personally owned PCDs while on duty for personal use is prohibited and may be subject to discipline. Employees may be responsible for reimbursing the Department for any charges incurred as a result of personal use.

(d) Officers are encouraged to use Department phones for follow up or to resolve situations while on scene at various calls. However, Dispatchers will still honor requests by officers to place telephone calls on the officer's behalf. Officer safety or some other situation will sometimes preclude officers from making their own telephone call.

701.3 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to any communication accessed, transmitted, received or reviewed on any PCD issued or funded by the Department and shall have no expectation of privacy in their location should the device be equipped with location detection capabilities (see the Information Technology Use Policy for additional guidance).

701.3.1 CALIFORNIA ELECTRONIC COMMUNICATIONS PRIVACY ACT (CALECPA)

No member is authorized to be the sole possessor of a department-issued PCD. Department-issued PCDs can be retrieved, accessed or used by any member as directed by a supervisor without notice. Member use of a department-issued PCD or use of a personal PCD for work-related business constitutes specific consent for access for department purposes. Prior to conducting an administrative search of a PCD, supervisors should consult legal counsel to ensure access is consistent with CalECPA (Penal Code § 1546; Penal Code § 1546.1).

701.4 DEPARTMENT-ISSUED PCD

Depending on a member’s assignment and the needs of the position, the Department may, at its discretion, issue or fund a PCD. Department-issued or funded PCDs are provided as a convenience to facilitate on-duty performance only. Such devices and the associated telephone number shall remain the sole property of the Department and shall be subject to inspection or monitoring (including all related records and content) at any time without notice and without cause.

Unless a member is expressly authorized by the Chief of Police for off-duty use of the PCD, the PCD will either be secured in the workplace at the completion of the tour of duty or will be turned
Personal Communication Devices

off when leaving the workplace. This does not apply to Command Staff, supervisory personnel, or those in specialized assignments who may be subject to call out during their off duty hours.

701.5 PERSONALLY OWNED PCD
Members may carry a personally owned PCD while on-duty, subject to the following conditions and limitations:

(a) Permission to carry a personally owned PCD may be revoked if it is used contrary to provisions of this policy.

(b) The Department accepts no responsibility for loss of or damage to a personally owned PCD.

(c) The PCD and any associated services shall be purchased, used and maintained solely at the member’s expense.

(d) The device should not be used for work-related purposes except in exigent circumstances (e.g., unavailability of radio communications). Members will have a reduced expectation of privacy when using a personally owned PCD in the workplace and have no expectation of privacy with regard to any department business-related communication.

1. Members may use personally owned PCDs on-duty for routine administrative work as authorized by the Chief of Police.

(e) The device shall not be utilized to record or disclose any business-related information, including photographs, video or the recording or transmittal of any information or material obtained or made accessible as a result of employment with the Department, without the express authorization of the Chief of Police or the authorized designee.

(f) Use of a personally owned PCD for work-related business constitutes consent for the Department to access the PCD to inspect and copy data to meet the needs of the Department, which may include litigation, public records retention and release obligations and internal investigations. If the PCD is carried on-duty, members will provide the Department with the telephone number of the device.

(g) All work-related documents, emails, photographs, recordings or other public records created or received on a member’s personally owned PCD should be transferred to the Pleasant Hill Police Department and deleted from the member’s PCD as soon as reasonably practicable but no later than the end of the member’s shift.

701.6 USE OF PCD
The following protocols shall apply to all PCDs that are carried while on-duty or used to conduct department business:

(a) A PCD shall not be carried in a manner that allows it to be visible while in uniform, unless it is in an approved carrier.
Personal Communication Devices

(b) All PCDs in the workplace shall be set to silent or vibrate mode.

(c) PCDs will remain in department issued cases.

(d) Members shall report through their chain of command, any loss, damage, or unserviceable condition of PCDs.

(e) A PCD may not be used to conduct personal business while on-duty, except for brief personal communications (e.g., informing family of extended hours). Members shall endeavor to limit their use of PCDs to authorized break times, unless an emergency exists.

(f) Members may use a PCD to communicate with other personnel in situations where the use of radio communications is either impracticable or not feasible. PCDs should not be used as a substitute for, as a way to avoid, or in lieu of regular radio communications.

(g) Members are prohibited from taking pictures, audio or video recordings or making copies of any such picture or recording media unless it is directly related to official department business. Disclosure of any such information to any third party through any means, without the express authorization of the Chief of Police or the authorized designee, may result in discipline.

(h) Members will not access social networking sites for any purpose that is not official department business.

(i) Using PCDs to harass, threaten, coerce or otherwise engage in inappropriate conduct with any third party is prohibited. Any member having knowledge of such conduct shall promptly notify a supervisor.

701.7 SUPERVISOR RESPONSIBILITIES

The responsibilities of supervisors include, but are not limited to:

(a) Ensuring that members under their command are provided appropriate training on the use of PCDs consistent with this policy.

(b) Monitoring, to the extent practicable, PCD use in the workplace and taking prompt corrective action if a member is observed or reported to be improperly using a PCD.
   1. An investigation into improper conduct should be promptly initiated when circumstances warrant.
   2. Before conducting any administrative search of a member’s personally owned device, supervisors should consult with the Chief of Police or the authorized designee.

701.8 OFFICIAL USE

Members are reminded that PCDs are not secure devices and conversations may be intercepted or overheard. Caution should be exercised while utilizing PCDs to ensure that sensitive information
Personal Communication Devices

is not inadvertently transmitted. As soon as reasonably possible, members shall conduct sensitive or private communications on a land-based or other department communications network.

701.9 USE WHILE DRIVING
The use of a PCD while driving can adversely affect safety, cause unnecessary distractions and present a negative image to the public. Officers operating emergency vehicles should restrict the use of these devices to matters of an urgent nature and should, where practicable, stop the vehicle at an appropriate location to use the PCD.

Members who are operating department vehicles that are not authorized emergency vehicles shall not use a PCD while driving unless the device is specifically designed and configured to allow hands-free use. In an emergency, a wireless phone may be used to place an emergency call to the Department or other emergency services agency (Vehicle Code § 23123; Vehicle Code § 23123.5). Hands-free use should be restricted to business-related calls or calls of an urgent nature.
Vehicle Maintenance

702.1 PURPOSE AND SCOPE
Employees are responsible for assisting in maintaining Department vehicles so that they are properly equipped, properly maintained, properly refueled and present a clean appearance.

702.2 DEFECTIVE VEHICLES
When a department vehicle becomes inoperative or in need of repair that affects the safety of the vehicle, that vehicle shall be removed from service for repair. Proper documentation shall be promptly completed by the employee who first becomes aware of the defective condition, describing the correction needed. The paperwork shall be promptly forwarded to vehicle maintenance for repair.

702.2.1 DAMAGE OR POOR PERFORMANCE
Vehicles that may have been damaged, or perform poorly shall be removed from service for inspections and repairs as soon as practicable.

702.2.2 SEVERE USE
Vehicles operated under severe-use conditions, which include operations for which the vehicle is not designed or that exceed the manufacturer’s parameters, should be removed from service and subjected to a safety inspection as soon as practicable. Such conditions may include rough roadway or off-road driving, hard or extended braking, pursuits or prolonged high-speed operation.

702.2.3 REMOVAL OF WEAPONS
All firearms, weapons and control devices shall be removed from a vehicle and properly secured in the department armory prior to the vehicle being released for maintenance, service or repair.

702.3 VEHICLE EQUIPMENT
Certain items shall be maintained in all department vehicles for emergency purposes and to perform routine duties.

702.3.1 PATROL VEHICLES
Officers shall inspect the patrol vehicle at the beginning of the shift and ensure that the following equipment, at a minimum, is present in the vehicle:

- Personal Protective Equipment per § 1016 and § 1024 (blood borne pathogen incl. protective gloves)
- Road flares
- Barricade tape
- First aid kit/CPR mask
- Fire extinguisher
Vehicle Maintenance

- Blanket
- Sharps Container
- Traffic Safety Vest
- Hazardous Materials Emergency Response Book
- AED (if assigned to vehicle)
- Tire deflation device
- Kinetic Energy Projectile shotgun

702.4 VEHICLE REFUELING
Absent emergency conditions or supervisor approval, officers driving patrol vehicles shall not place a vehicle in service that has less than one-quarter tank of fuel. Vehicles shall only be refueled at the authorized location.

702.5 WASHING OF VEHICLES
All units shall be kept clean at all times and weather conditions permitting, shall be washed as necessary to enhance their appearance.

Officers in patrol shall obtain clearance from the dispatcher before responding to the car wash. Only one marked unit should be at the car wash at the same time unless otherwise approved by a supervisor.

Employees using a vehicle shall remove any trash or debris at the end of their shift. Confidential material should be placed in a designated receptacle provided for the shredding of this matter.
Vehicle Use Policy

703.1 PURPOSE AND SCOPE
The purpose of this policy is to establish a system of accountability to ensure department vehicles are used appropriately. This policy provides guidelines for on- and off-duty use of department vehicles and shall not be construed to create or imply any contractual obligation by the City of Pleasant Hill Police to provide assigned take-home vehicles beyond the agreed upon Memorandum of Understanding (MOU).

703.2 POLICY
The Pleasant Hill Police Department provides vehicles for department-related business and may assign patrol and unmarked vehicles based on a determination of operational efficiency, economic impact to the Department, requirements for tactical deployments, MOU agreements, and other considerations.

703.3 USE OF VEHICLES
703.3.1 INSPECTIONS
Members shall be responsible for inspecting the interior and exterior of any assigned vehicle before taking the vehicle into service and at the conclusion of their shifts. Any previously unreported damage, mechanical problems, unauthorized contents or other problems with the vehicle shall be promptly reported to a supervisor and documented as appropriate.

The interior of any vehicle that has been used to transport any person other than a member of this department should be inspected prior to placing another person in the vehicle and again after the person is removed. This is to ensure that unauthorized or personal items have not been left in the vehicle.

When transporting any suspect, prisoner or arrestee, the transporting member shall search all areas of the vehicle that are accessible by the person before and after that person is transported.

All department vehicles are subject to inspection and/or search at any time by a supervisor without notice and without cause. No member assigned to or operating such vehicle shall be entitled to any expectation of privacy with respect to the vehicle or its contents.

703.3.2 SECURITY AND UNATTENDED VEHICLES
Unattended vehicles should be locked and secured at all times. No key should be left in the vehicle except when it is necessary that the vehicle be left running (e.g., continued activation of emergency lights, canine safety, equipment charging). Officers who exit a vehicle rapidly in an emergency situation or to engage in a foot pursuit must carefully balance the need to exit the vehicle quickly with the need to secure the vehicle.

Members shall ensure all weapons are secured while the vehicle is unattended.
Vehicle Use Policy

703.3.3 MDT
Members assigned to vehicles equipped with a Mobile Data Terminal (MDT) shall log onto the MDT with the required information when going on-duty. If the vehicle is not equipped with a working MDT, the member shall notify Dispatch. Use of the MDT is governed by the Mobile Data Terminal Use Policy.

703.3.4 VEHICLE LOCATION SYSTEM
Patrol and other vehicles, at the discretion of the Chief of Police, may be equipped with a system designed to track the vehicle’s location. While the system may provide vehicle location and other information, members are not relieved of their responsibility to use required communication practices to report their location and status.

Members shall not make any unauthorized modifications to the system. At the start of each shift, members shall verify that the system is on and report any malfunctions to their supervisor. If the member finds that the system is not functioning properly at any time during the shift, he/she should exchange the vehicle for one with a working system, if available.

System data may be accessed by the Patrol Division Commander when reviewing performance, in response to a complaint, or when conducting an investigation. Access to AVL data may also be accessed by the Professional Standards Sergeant or the Support Services Supervisor in response to an administrative investigation or request as directed by the Patrol Division Commander, Captain, or Chief of Police.

supervisors at any time. However, access to historical data by other than supervisors will require Division Commander approval.

All data captured by the system shall be retained in accordance with the established records retention schedule.

703.3.5 KEYS
Members approved to operate marked patrol vehicles should be issued a copy of the key as part of their initial equipment distribution. Members who are assigned a specific vehicle should be issued keys for that vehicle.

Members shall not duplicate keys. The loss of a key shall be promptly reported in writing through the member’s chain of command.

703.3.6 AUTHORIZED PASSENGERS
Members operating department vehicles shall not permit persons other than City personnel or persons required to be conveyed in the performance of duty, or as otherwise authorized, to ride as passengers in the vehicle, except as stated in the Ride-Along Policy or as approved by his/her supervisor.

703.3.7 ALCOHOL
Members who have consumed alcohol are prohibited from operating any department vehicle unless it is required by the duty assignment (e.g., task force, undercover work, social event where
Vehicle Use Policy

attendance is required). Regardless of assignment, members may not violate state law regarding vehicle operation while intoxicated.

703.3.8 PARKING
Except when responding to an emergency or when urgent department-related business requires otherwise, members driving department vehicles should obey all parking regulations at all times.

Department vehicles should be parked in assigned stalls. Members shall not park privately owned vehicles in stalls assigned to department vehicles or in other areas of the parking lot that are not so designated unless authorized by a supervisor. Privately owned motorcycles shall be parked in designated areas.

703.3.9 ACCESSORIES AND/OR MODIFICATIONS
There shall be no modifications, additions or removal of any equipment or accessories without written permission from the assigned vehicle program manager.

703.3.10 PROFESSIONAL STAFF MEMBER USE
Professional Staff members using marked emergency vehicles shall ensure that all weapons have been removed before going into service. Professional Staff members shall prominently display the "out of service" placards or light bar covers at all times. Professional Staff members shall not operate the emergency lights or siren of any vehicle unless expressly authorized by a supervisor.

703.4 UNMARKED VEHICLES
Vehicles are assigned to various divisions and their use is restricted to the respective division and the assigned member, unless otherwise approved by a division supervisor. Any member operating an unmarked vehicle shall record vehicle usage by signing on to the CAD system via dispatch. Any use of unmarked vehicles by those who are not assigned to the division to which the vehicle is assigned shall also record the use with the Watch Commander on the Daily Log.

703.5 DAMAGE, ABUSE AND MISUSE
When any department vehicle is involved in a traffic collision or otherwise incurs damage, the involved member shall promptly notify a supervisor. Any traffic collision report shall be filed with the agency having jurisdiction (see the Traffic Collision Reporting Policy).

Damage to any department vehicle that was not caused by a traffic collision shall be immediately reported during the shift in which the damage was discovered, documented in memorandum format and forwarded to the Watch Commander. An administrative investigation should be initiated to determine if there has been any vehicle abuse or misuse.

703.5.1 ACCESSORIES AND/OR MODIFICATIONS
No modifications, additions or deletions of any equipment or accessories shall be made to the vehicle without written permission from the for the Assigned Vehicle Program manager.

703.6 TOLL ROAD USAGE
Law enforcement vehicles are not routinely exempted from incurring toll road charges.
Vehicle Use Policy

To avoid unnecessary toll road charges, all members operating department vehicles on a toll road shall adhere to the following:

(a) Members operating department vehicles for any reason other than in response to an emergency shall pay the appropriate toll charge or utilize the appropriate toll way transponder. Members may submit a request for reimbursement from the City for any toll fees incurred in the course of official business.

(b) Members passing through a toll plaza or booth during a response to an emergency shall notify, in writing, the appropriate Division Commander within five working days explaining the circumstances.

703.7 ATTIRE AND APPEARANCE
When operating any department vehicle while off-duty, members may dress in a manner appropriate for their intended activity. Whenever in view of or in contact with the public, attire and appearance, regardless of the activity, should be suitable to reflect positively upon the Department.
Chapter 8 - Support Services
Crime Analysis

800.1 PURPOSE AND SCOPE
Crime analysis should provide currently useful information to aid operational personnel in meeting their tactical crime control and prevention objectives by identifying and analyzing methods of operation of individual criminals, providing crime pattern recognition, and providing analysis of data from field interrogations and arrests. Crime analysis can be useful to the Department's long range planning efforts by providing estimates of future crime trends and assisting in the identification of enforcement priorities.

800.2 DATA SOURCES
Crime analysis data is extracted from many sources including, but not limited to:

- Crime reports
- Field Interview cards
- Parole and Probation records
- Computer Aided Dispatch data
- Statewide Integrated Traffic Reporting System (SWITRS)

800.3 CRIME ANALYSIS DISSEMINATION
For a crime analysis system to function effectively, information should be disseminated to the appropriate units or persons on a timely basis. Information that is relevant to the operational and tactical plans of specific line units should be sent directly to them. Information relevant to the development of the Department's strategic plans should be provided to the appropriate staff units. When information pertains to tactical and strategic plans, it should be provided to all affected units.
NCIC Validation Procedures

801.1 PURPOSE AND SCOPE
The purpose of this procedure is to establish a formalized process for department personnel to verify data which is entered into NCIC/CJIS files as mandated by the FBI and the California Department of Justice.

801.2 POLICY
The Department will validate, through comparison with originating source documents, that each record in NCIC/CJIS files is accurate, complete, and represents an outstanding or active case.

(a) To assist peace officers in taking appropriate action.
(b) To improve peace officer and public safety.
(c) To minimize the probability of liability resulting from inappropriate police action.

801.2.1 DEFINITIONS
Agency Terminal Coordinator - The Department's primary contact person/distribution point and to be responsible for ensuring compliance within the department.

CJIS - California Department of Justice, Criminal Justice Information System

NCIC - National Crime Information Center

Recent Consultation - Personal contact with victim, complainant, prosecutor, court, motor vehicle registration files, or other appropriate source, or individual by phone, letter, or teletype.

Validation - Confirmation that the record has been reviewed and is accurate. Contains all available information and is still active. Records no longer current are to be removed from the NCIC/CJIS files.

Validation List - A Department of Justice printed listing of all records in each NCIC/CJIS file which are 60 - 90 days old and all those records that were entered that month in prior years.

Verification - Requires that a second party, sworn officer, visually verifies the dispatch entry teletype for accuracy with the source document.

801.3 PROCEDURE
(a) Validation Lists will be received in the Support Services Division by the agency terminal coordinator and distributed to the appropriate personnel for validation.

1. Agency Terminal Coordinator will sign and return to the Department of Justice the receipt acknowledgment letter for the validation material (list).

2. The Support Services Supervisor or designee will be responsible for validation of all stolen vehicles, vehicle parts, stolen boats, stolen boat parts, stolen/lost/
found firearms, wanted persons, and other items entered into the Department of Justice NCIC automated systems.

3. Assigned personnel will receive the verification list for missing persons and will be responsible for missing persons validations.

4. For records validated according to NCIC guidelines, the ID number of the person entering the record, and the ID number of the person verifying the entry shall be included in the miscellaneous field of the entry and hand written on the teletype by each of the employee as verification of accuracy of that record. The teletype will then be maintained in the case folder.

(b) Vehicle, boat, and missing persons entries must be confirmed so that the record is complete, accurate and still active/outstanding.

1. Confirmation must be supported by documents and by recent consultation with the complainant, victim, prosecutor, court, motor vehicle registry files, or other appropriate source or individual.

2. Entries for vehicle and missing persons are the only entries affected by the recent consultation requirement.

3. To show record of recent consultation, a supplement shall be completed and/or case modification routed to Records Bureau.

4. Stolen vehicles and boat verifications require investigation of listed VINs with the original police report. Vehicle VIN and boat hull number SVS/ABS inquiries will be made to verify status of the vehicle and/or boat.

(c) Gun, negotiable securities, license plate, stolen vehicle/boat parts, and unidentified person entry validation require the review of all case documents to determine if the entry is complete, accurate, and still active.

1. Gun, negotiable securities, license plate, stolen vehicle/boat parts, stolen boats and unidentified person entries do not require recent consultation.

(d) Assigned personnel will receive the verification list for wanted persons.

1. Verification may include contacting the issuing court, officer assigned to the case, or the District Attorney’s Office.

(a) Entries for fugitives/wanted persons must be supported by current documentation in the Justice Automated Warrant system (JAWS) and by recent consultation. Recent consultation must be recorded in the JAWS due diligence file.

(e) Transaction Changes to Modify Original Data Entry Record
(a) Assigned personnel will write a supplemental report indicating any changes to the original record. A second party verification will then be conducted to the modification teletype.

(b) In the event attempts to contact the victim, complainant, etc., are unsuccessful, the entering authority must make a determination, based on the best information and knowledge available, whether or not to retain the original entry in the file.

(a) Letters of contact, and attempted contact, must be retained and included in the original case file.

(f) Certification of Validation Letter

1. Upon notification from assigned personnel that the validation has been completed, the Support Services Supervisor will sign and return the certification of validation letter to the Department of Justice.
Dispatch

802.1 PURPOSE AND SCOPE
This policy establishes guidelines for the basic functions of Dispatch. It addresses the immediate information needs of the Department in the course of its normal daily activities and during emergencies.

802.2 POLICY
It is the policy of the Pleasant Hill Police Department to provide 24-hour telephone service to the public for information and for routine or emergency assistance. The department provides two-way radio capability providing continuous communication between Dispatch and department members in the field.

802.3 DISPATCH SECURITY
The communications function is vital and central to all emergency service operations. The safety and security of Dispatch, its members and its equipment must be a high priority. Special security procedures should be established in a separate operations manual for Dispatch.

Access to Dispatch shall be limited to Dispatch members, the Watch Commander, command staff and department members with a specific business-related purpose.

802.4 HOLDING OF CALLS
(a) Calls will not be held by dispatchers while awaiting the availability of "early car" personnel; see guidelines below. It is preferable to dispatch a call apparently involving a report to the oncoming shift but if no one is available, then the call should be dispatched. Watch Commanders are expected to monitor this situation, and dispatchers should keep Watch Commanders informed of the status of pending calls. If a Watch Commander authorizes the holding of a call, this should be noted in the Event Summary.

(b) Generally, calls should not be held longer than 15 minutes. If beat units are not available, then the call should be dispatched to an off-beat unit. Of course, sometimes all units are occupied; this is a different situation and calls sometimes pend for extended periods.

(c) The presence of "early cars" does not relieve the on-duty shift from taking calls or covering on calls, especially calls not involving reports. Calls should be dispatched up to 15 minutes until the end of shift, and emergency calls will be dispatched until the end of shift. Watch Commanders are expected to monitor the workload of officers and to arrange for officers to have time to complete the majority of their reports during their shifts. Watch Commanders are expected to monitor the types of calls being dispatched.
to the already on-duty shift. It may or may not be appropriate to hold the call for the early car or oncoming shift.

802.5 DATA BASE RECALL/ANI & ALI
This policy provides direction on when the Data Base Recall (DBR) system installed in Dispatch can be used by Patrol Division personnel.

The DBR system includes Automatic Number Identification (ANI) and Automatic Location Identification (ALI). The DBR is used to obtain addresses from telephone numbers.

802.5.1 CONDITIONS FOR USE
Use of the DBR is authorized for Patrol Division operations under the following conditions:

(a) The caller has requested emergency aid as specified in § 53100 of the Government Code.
(b) It appears a bona fide emergency is occurring.
(c) The caller has failed to provide enough information to facilitate an emergency response.
(d) The Watch Commander has approved the use of the DBR.

802.5.2 PROHIBITIONS
Use of the DBR is prohibited if the criteria listed above are not met. The DBR cannot be used for routine investigative purposes.

802.5.3 REPORTING REQUIREMENTS
Watch Commanders will submit a memorandum to the Patrol Division Commander and Support Services Division Commander explaining the use of the DBR and reason(s) for authorization.

802.6 RESPONSIBILITIES

802.6.1 SUPPORT SERVICES SUPERVISOR
The Chief of Police shall appoint and delegate certain responsibilities to a Support Services Supervisor. The Support Services Supervisor is directly responsible to the Operations Division Commander or the authorized designee.

The responsibilities of the Support Services Supervisor include, but are not limited to:

(a) Overseeing the efficient and effective operation of Dispatch in coordination with other supervisors.
(b) Scheduling and maintaining dispatcher time records.
(c) Supervising, training and evaluating dispatchers.
(d) Ensuring the radio and telephone recording system is operational.
1. Recordings shall be maintained in accordance with the established records retention schedule and as required by law.

(e) Processing requests for copies of Dispatch information for release.

(f) Maintaining Dispatch database systems.

(g) Maintaining and updating Dispatch procedures manual.

1. Procedures for specific types of crime reports may be necessary. For example, specific questions and instructions may be necessary when talking with a victim of a sexual assault to ensure that his/her health and safety needs are met, as well as steps that he/she may take to preserve evidence.

2. Ensuring dispatcher compliance with established policies and procedures.

(h) Handling internal and external inquiries regarding services provided and accepting personnel complaints in accordance with the Personnel Complaints Policy.

(i) Maintaining a current contact list of City personnel to be notified in the event of a utility service emergency.

802.6.2 ADDITIONAL PROCEDURES

The Support Services Supervisor should establish procedures for:

(a) Recording all telephone and radio communications and playback issues.

(b) Storage and retention of recordings.

(c) Security of audio recordings (e.g., passwords, limited access, authorized reviewers, preservation of recordings past normal retention standards).

(d) Availability of current information for dispatchers (e.g., Watch Commander contact, rosters, member tracking methods, member contact, maps, emergency providers, tactical dispatch plans).

(e) Assignment of field members and safety check intervals.

(f) Emergency Medical Dispatch (EMD) instructions.

(g) Procurement of external services (e.g., fire suppression, ambulances, aircraft, tow trucks, taxis).

(h) Protection of essential equipment (e.g., surge protectors, gaseous fire suppression systems, uninterruptible power systems, generators).

(i) Protection of radio transmission lines, antennas and power sources for Dispatch (e.g., security cameras, fences).

(j) Handling misdirected, silent and hang-up calls.

(k) Handling private security alarms, if applicable.

(l) Radio interoperability issues.
802.6.3 DISPATCHERS
Dispatchers report to the Support Services Supervisor. The responsibilities of the dispatcher include, but are not limited to:

(a) Receiving and handling all incoming and transmitted communications, including:

1. Emergency 9-1-1 lines.
2. Business telephone lines.
3. Telecommunications Device for the Deaf (TDD)/Text Telephone (TTY) equipment.
4. Radio communications with department members in the field and support resources (e.g., fire department, emergency medical services (EMS), allied agency law enforcement units).
5. Other electronic sources of information (e.g., text messages, digital photographs, video).

(b) Documenting the field activities of department members and support resources (e.g., fire department, EMS, allied agency law enforcement units).

(c) Inquiry and entry of information through Dispatch, department and other law enforcement database systems (CLETS, DMV, NCIC).

(d) Monitoring department video surveillance systems.

(e) Maintaining the current status of members in the field, their locations and the nature of calls for service.

(f) Notifying the Watch Commander or field supervisor of emergency activity, including, but not limited to:

1. Vehicle pursuits.
2. Foot pursuits.
3. Assignment of emergency response.

802.7 CALL HANDLING
This Department provides members of the public with access to the 9-1-1 system for a single emergency telephone number.

When a call for services is received, the dispatcher will reasonably and quickly attempt to determine whether the call is an emergency or non-emergency, and shall quickly ascertain the call type, location and priority by asking four key questions:

- Where?
- What?
- When?
- Who?
If the dispatcher determines that the caller has a hearing and/or speech impairment or disability, he/she shall immediately initiate a connection with the individual via available TDD/TTY equipment or Telephone Relay Service (TRS), as mandated by the Americans with Disabilities Act (ADA).

If the dispatcher determines that the caller is a limited English proficiency (LEP) individual, the dispatcher should quickly determine whether sufficient information can be obtained to initiate an appropriate response. If language assistance is still needed, the language is known and a language-appropriate authorized interpreter is available in Dispatch, the dispatcher should immediately connect the LEP caller to the authorized interpreter.

If no authorized interpreter is available or the dispatcher is unable to identify the caller’s language, the dispatcher will contact the contracted telephonic interpretation service and establish a three-party call connecting the dispatcher, the LEP individual and the interpreter.

Dispatchers should be courteous, patient and respectful when dealing with the public.

802.7.1 EMERGENCY CALLS
A call is considered an emergency when there is an immediate or potential threat to life or serious property damage, and the timely arrival of public safety assistance is of the utmost importance. A person reporting an emergency should not be placed on hold until the dispatcher has obtained all necessary information to ensure the safety of the responding department members and affected individuals.

Emergency calls should be dispatched immediately. The Watch Commander shall be notified of pending emergency calls for service when department members are unavailable for dispatch.

802.7.2 NON-EMERGENCY CALLS
A call is considered a non-emergency call when there is no immediate or potential threat to life or property. A person reporting a non-emergency may be placed on hold, if necessary, to allow the dispatcher to handle a higher priority or emergency call.

The reporting person should be advised if there will be a delay in the dispatcher returning to the telephone line or when there will be a delay in the response for service.

802.8 RADIO COMMUNICATIONS
The police radio system is for official use only, to be used by dispatchers to communicate with department members in the field. All transmissions shall be professional and made in a calm, businesslike manner, using proper language and correct procedures. Such transmissions shall include, but are not limited to:

(a) Members acknowledging the dispatcher with their radio identification call signs and current location.
(b) Dispatchers acknowledging and responding promptly to all radio transmissions.
(c) Members keeping the dispatcher advised of their status and location.
(d) Member and dispatcher acknowledgements shall be concise and without further comment unless additional information is needed.
The Support Services Supervisor shall be notified of radio procedure violations or other causes for complaint. All complaints and violations will be investigated and reported to the complainant’s supervisor and processed through the chain of command.

802.8.1 FEDERAL COMMUNICATIONS COMMISSION COMPLIANCE
Pleasant Hill Police Department radio operations shall be conducted in accordance with Federal Communications Commission (FCC) procedures and requirements.

802.8.2 RADIO IDENTIFICATION
Radio call signs are assigned to department members based on factors such as duty assignment, uniformed patrol assignment and/or member identification number. Dispatchers shall identify themselves on the radio with the appropriate station name or number, and identify the department member by his/her call sign. Members should use their call signs when initiating communication with the dispatcher. The use of the call sign allows for a brief pause so that the dispatcher can acknowledge the appropriate department member. Members initiating communication with other law enforcement or support agencies shall use their entire radio call sign, which includes the department station name or number.

802.9 DOCUMENTATION
It shall be the responsibility of Dispatch to document all relevant information on calls for service or self-initiated activity. Dispatchers shall attempt to elicit, document and relay as much information as possible to enhance the safety of the member and assist in anticipating conditions that may be encountered at the scene. Desirable information would include, at a minimum:

- Incident control number.
- Date and time of request.
- Name and address of the reporting person, if possible.
- Type of incident reported.
- Involvement of weapons, drugs and/or alcohol.
- Location of incident reported.
- Identification of members assigned as primary and backup.
- Time of dispatch.
- Time of the responding member’s arrival.
- Time of member’s return to service.
- Disposition or status of reported incident.
802.10 CONFIDENTIALITY
Information that becomes available through Dispatch may be confidential or sensitive in nature. All members of Dispatch shall treat information that becomes known to them as confidential and release that information in accordance with the Protected Information Policy.

Automated data, such as Department of Motor Vehicle records, warrants, criminal history information, records of internal police files or medical information, shall only be made available to authorized law enforcement personnel. Prior to transmitting confidential information via the radio, an admonishment shall be made that confidential information is about to be broadcast.

802.11 TRAINING AND CERTIFICATION
Dispatchers shall receive training consistent with minimum standards established by POST (Penal Code § 13510).
Dispatcher Duties

803.1 PURPOSE AND SCOPE
This policy identifies responsibilities of the dispatchers during their assigned shift.

803.2 POLICY
It is the policy of Department that the employee assigned and working on any given shift as the "Dispatcher" shall be held accountable for the tasks and responsibilities listed in this policy, as well as for any additional associated tasks (special orders) that may be specifically assigned to that individual or classification of employees either in writing or orally by a supervisor.

803.3 PROCEDURES
(a) Communications - The first dispatcher priority is communications. This includes radio, telephone and electronic communications between Department employees and others. Communications dealing with employee safety and appropriate Police Department response to emergency calls for assistance are of the greatest priority.

(b) Radio - Dispatchers shall constantly monitor the PHPD radio channels, using the assigned headset.

(c) Emergency Telephone - Dispatchers shall wear an approved headset on duty.

(d) The dispatcher shall make every effort to answer incoming 911 and/or emergency number calls as soon as possible. Such calls shall be recorded and/or transferred to the proper agency as appropriate at the earliest possible time.

(e) In the event that the dispatcher is busy with one such call when a second or subsequent call is received, they shall first request any other person present in the dispatch office or records office to answer the call. If no other person is present, they shall place the first caller on hold as soon as possible under the circumstances and answer the second or subsequent call.

803.4 RELATED DUTIES
(a) The dispatcher shall record all calls for service on the Event Screen in the CAD system.

(b) The dispatcher shall handle and assist officers or other employees with requests for and returns of information from/through Department automated communications systems.

(c) Assist with telephone calls that other employees are unable to make or receive due to timing or location.

(d) Take appropriate messages for other employees and ensure that such messages are passed along in a timely manner or routed to voice mail.
Dispatcher Duties

(e) Send/receive automated teletypes through the computer system at the request of other employees. Dispatchers may request (depending on the complexity of the request) that requests to send teletypes are in writing.

(f) Business Telephone: During those times of the shift when no other employees are present in the dispatch or records office, the dispatcher shall answer the business telephone lines, emergency workload permitting.

(g) Dispatchers are not to leave the Dispatch office unattended to conduct records office business.

(h) Emergency Telephone Numbers: Dispatchers shall maintain a ready reference of telephone numbers for the most frequently called numbers by the Police Department and assist other employees with these calls as necessary. This includes the pager telephone numbers for all staff and on-call personnel that have so notified Dispatch.

803.5 COMPUTER AIDED DISPATCH SYSTEM (CAD)

(a) Knowledge of CAD System - Dispatchers shall keep themselves up to date on the standard protocol for use of the CAD system by studying the CAD manuals available in the Dispatch office and by reviewing the Services Division communications.

(b) Event (Screen) Log - Dispatchers shall follow the standard protocol to record all pertinent police response/call for service information necessary to complete the Event Log in a timely fashion. Other Department employees who receive calls for service shall enter the information from the call into the Event Log and transfer the Event to the dispatcher.

(c) Unit Status Log - The dispatcher shall maintain the officer/employee Unit Status screen/records in the CAD system recording each and every reported change in the officer's status or location so that the dispatcher can locate the officer or other employee for assistance or assignment.

(d) Dispatchers shall record changes in unit status. Officers are not required to use the MDS for status changes. Dispatchers are responsible for status changes.

(e) Dispatchers shall utilize the most appropriate status code so that accuracy in status recording is maintained. Personnel will be "attached" to events or calls for service.

803.6 RECORDS MANAGEMENT SYSTEM (RMS)

(a) Dispatchers shall keep themselves up to date on the operation of the RMS by reviewing the appropriate operations manuals kept in the dispatch office and by reviewing Services Division communications.

(b) Inquiries - Dispatchers shall make inquiries into the RMS for information at the request of field personnel.
Dispatcher Duties

(c) Entries - Dispatchers shall make entries into the RMS as necessary with information appropriate to the circumstances of the particular job or task they may be involved with at the time.

(d) Warrants - Dispatchers shall make any necessary entries into the RMS about warrant activity that occurs on their shift.

(e) Generally speaking, persons actually functioning as the dispatcher will not be required to make "routine" entries of other information into the RMS. Special assignments may be made from time to time, depending on other Services Division workloads.

(f) Daily Bulletin - Dispatchers shall make all necessary entries into the Daily Bulletin.

(g) Arrest Logs - Dispatchers shall maintain the adult and juvenile arrest logs.

(h) Public Log - Dispatchers shall ensure that an up-to-date public information log is printed and available to the press or other interested persons. Shift activity logs shall be printed about 15 minutes ahead of time for each oncoming Watch Commander's use at briefing. These shall also be available for the public (press) between 24-hour log printouts.

(i) Rotation Tow Log - Dispatchers are responsible to maintain a record of all requests made to tow companies for and through the Department.

(j) Private Property/Repossession Tow Log - Private property tows and/or repossession tows are entered into the RMS Vehicle Screen by Services personnel receiving the tow information. Vehicles are also entered into the Stolen Vehicle System (SVS).

(k) Press Releases - Dispatchers shall keep a "press release" clipboard in the dispatch office and place any press release they become aware of on it. Press releases shall be kept in chronological order for at least 30 days, then may be discarded. When telephone calls from the press are received making inquiry about releases, the press board shall be reviewed by the dispatcher or other person receiving the call and appropriate information released.

(l) Closed Circuit TV (CCTV) System - The dispatcher shall monitor the Department's CCTV system for security purposes. If they notice anything that they feel may pose a security risk to the Department or any of its employees, they shall immediately notify the most available Department supervisor.

1. Dispatchers shall use the appropriate audio surveillance units located within the Department to constantly monitor prisoners in the holding area.

2. Dispatchers shall use the audio or video systems to monitor juvenile detainees in "non-secure" detention within the building when requested to do so by any other employee.

3. Unusual activity on the part of any such detainee or arrestee shall be immediately brought to the attention of the employee in charge of the arrestee/detainee.
Dispatcher Duties

(m) Department Security/Alarm System - The dispatcher shall monitor the Department's entry alarm system to help maintain the security of the building. If the dispatcher becomes aware of any "intrusion" or unauthorized break in the security of the building, they shall immediately notify the most available supervisor or other sworn officer to investigate.

(n) Office Security - The dispatcher may order the front doors to the station locked at any time between 2300 and 0700 hours, at their discretion.

(o) Building Access - During non-business hours, the dispatcher shall ensure that all doors leading from the lobby into the rest of the building are locked and under the control of the electric lock system.

1. Exceptions may be made during times of "public" meetings and the like in the Department classrooms or meeting rooms.

2. During non-business hours, dispatchers shall ensure that the employee entrance door and sally port doors are shut when not being used.

(q) "Walk-In" Clients - Whenever the front door is locked, dispatchers may visually and/or verbally "screen" persons at the front door and may choose not to let anyone in who they feel may be a threat to their security. Those persons not admitted shall be told to wait outside until an officer is available in the station to assist them.

(r) Dispatch Equipment Failure - Whenever a dispatcher becomes aware of any failure of communications or computer equipment under their control that is not specifically noted elsewhere in this order, they shall make every effort to correct or re-start the system immediately. If they are unable to do so, they shall immediately notify the most available supervisor. Equipment failures will be noted on the Daily Bulletin.

(s) Bail/Cash Drawer: The dispatcher shall maintain the dispatcher's "cash" drawer. The balance is to be $300.00 in twenty dollar bills or less. Any time there are less than twenty (20) one-dollar bills in the drawer, the dispatcher shall send someone out for change. Any shortages or overages in the balance shall be reported, in writing, to the Support Services Division Commander for the next work day.

(t) Remaining at Post - The dispatcher shall not leave the Dispatch office unattended for any reason during their shift without the expressed approval of the Watch Commander or supervisor. The dispatcher may only leave the office when they have been relieved by a person authorized to operate the CAD system. Authorized persons include dispatchers, clerk/dispatchers, or dispatch-qualified CSO's.

(u) Dispatch Office Activity - Generally, dispatchers should limit the occupancy of the Dispatch office to those individuals conducting official police business. This is most important during the normal 0830 to 1700 hour work day. Lengthy private conversations or other visits that detract from official business are not appropriate for
Dispatcher Duties

the Dispatch office. Off-duty personnel or non-employees are not to be allowed lengthy visits without the approval of a supervisor.

(v) Dispatchers shall make every effort to maintain the general cleanliness of their work area.

803.7 OTHER DUTIES AS ASSIGNED
As directed by a supervisor.
Property and Evidence

804.1 PURPOSE AND SCOPE
This policy provides for the proper collection, storage, and security of evidence and other property. Additionally, this policy provides for the protection of the chain of evidence and those persons authorized to remove and/or destroy property.

The Pleasant Hill Police Department maintains a separate Property Manual addressing the above concerns.

804.2 PROPERTY HANDLING
Any employee who first comes into possession of any property shall retain such property in his/her possession until it is properly tagged and placed in the designated property locker or storage room along with the property form and/or bar code entry. Care shall be taken to maintain the chain of custody for all evidence.

Where ownership can be established as to found property with no apparent evidentiary value, such property may be released to the owner without the need for booking. The appropriate property form must be completed to document the release of property not booked and the owner shall sign the form acknowledging receipt of the items.

804.2.1 EXPLOSIVES
Officers who encounter a suspected explosive device shall promptly notify their immediate supervisor or the Watch Commander. The bomb squad will be called to handle explosive-related incidents and will be responsible for the handling, storage, sampling and disposal of all suspected explosives.

Explosives will not be retained in the police facility. Only fireworks that are considered stable and safe and road flares or similar signaling devices may be booked into property. All such items shall be stored in proper containers and in an area designated for the storage of flammable materials. The Support Services CSO is responsible for disposal of any fireworks or signaling devices.

804.2.2 RELINQUISHED FIREARMS
Individuals who relinquish firearms pursuant to the provisions of Penal Code § 29850 shall be issued a receipt that describes the firearm, the serial number or other identification of the firearm at the time of relinquishment (Penal Code § 29810).

Relinquished firearms shall be retained for 30 days, after which time they may be destroyed, retained, sold or otherwise transferred, unless (Penal Code § 29810):

(a) A certificate is issued by a judge of a court of record or the District Attorney stating the firearms shall be retained; or
(b) The convicted person provides written notice of an intent to appeal the conviction that necessitated the relinquishment; or
(c) The Automated Firearms System indicates that the firearm was reported lost or stolen.
1. In such event, the firearm shall be restored to the lawful owner as soon as it is no longer needed as evidence, the lawful owner has identified the weapon and provided proof of ownership, and the Department has complied with the requirements of Penal Code § 33850 et seq.

The Property and Evidence CSO shall ensure the Support Services Supervisor is notified of the relinquished firearm for purposes of updating the Automated Firearms System and the disposition of the firearm for purposes of notifying the California Department of Justice (DOJ) (See the Support Services Division Policy).

**804.3 RECORDING OF PROPERTY**

The Property and Evidence CSO receiving custody of evidence or property shall record his/her signature, the date and time the property was received and where the property will be stored on the property control card.

A property number shall be obtained for each item or group of items. This number shall be recorded on the property tag and the property control card.

Any changes in the location of property held by the Pleasant Hill Police Department shall be noted in the property logbook.

**804.4 PROPERTY CONTROL**

Each time the Property and Evidence CSO receives property or releases property to another person, he/she shall enter this information on the property control card. Officers desiring property for court shall contact the Property and Evidence CSO at least one day prior to the court day.

**804.4.1 RESPONSIBILITY OF OTHER PERSONNEL**

Every time property is released or received, an appropriate entry shall be completed to maintain the chain of evidence. No property or evidence is to be released without first receiving authorization from a supervisor or detective.

Request for analysis for items other than narcotics or drugs shall be completed on the appropriate forms and submitted to the Property and Evidence

**804.4.2 RELEASE OF PROPERTY**

All reasonable attempts shall be made to identify the rightful owner of found property or evidence not needed for an investigation.

Release of property shall be made upon receipt of an authorized release form, listing the name and address of the person to whom the property is to be released. The release authorization shall be signed by the authorizing supervisor or detective and must conform to the items listed on the property form or must specify the specific item(s) to be released. Release of all property shall be documented on the property form.

With the exception of firearms and other property specifically regulated by statute, found property and property held for safekeeping shall be held for a minimum of 90 days. During such period,
property personnel shall attempt to contact the rightful owner by telephone and/or mail when sufficient identifying information is available. Property not held for any other purpose and not claimed within 90 days after notification (or receipt, if notification is not feasible) may be auctioned to the highest bidder at a properly published public auction. If such property is not sold at auction or otherwise lawfully claimed, it may thereafter be destroyed (Civil Code § 2080.6). The final disposition of all such property shall be fully documented in related reports.

The Property and Evidence CSO shall release the property upon proper identification being presented by the owner for which an authorized release has been received. A signature of the person receiving the property shall be recorded on the original property form. After release of all property entered on the property control card, the card shall be forwarded to the Support Services Division for filing with the case. If some items of property have not been released the property card will remain with the Support Services. Upon release, the proper entry shall be documented in the Property Log.

Under no circumstances shall any firearm be returned to any individual unless and until such person presents valid identification and written notification from the California Department of Justice that conforms to the provisions of Penal Code § 33865.

The Support Services Supervisor should also make reasonable efforts to determine whether the person is the subject of any court order preventing the person from possessing a firearm and if so, the firearm should not be released to the person while the order is in effect.

The Department is not required to retain any firearm or other deadly weapon longer than 180 days after notice has been provided to the owner that such firearm or other deadly weapon is available for return. At the expiration of such period, the firearm or other deadly weapon may be processed for disposal in accordance with applicable law (Penal Code § 33875).

804.4.3 DISPUTED CLAIMS TO PROPERTY
Occasionally more than one party may claim an interest in property being held by the Department, and the legal rights of the parties cannot be clearly established. Such property shall not be released until one party has obtained a valid court order or other undisputed right to the involved property. All parties should be advised that their claims are civil and in extreme situations, legal counsel for the Department may wish to file an interpleader to resolve the disputed claim (Code of Civil Procedure § 386(b)).

804.4.4 RELEASE OF FIREARM IN DOMESTIC VIOLENCE MATTERS
Within five days of the expiration of a restraining order issued in a domestic violence matter that required the relinquishment of a firearm, the Property and Evidence CSO shall return the weapon to the owner if the requirements of Penal Code § 33850 and Penal Code § 33855 are met unless the firearm is determined to be stolen, evidence in a criminal investigation or the individual is otherwise prohibited from possessing a firearm (Family Code § 6389(g); Penal Code § 33855).
804.4.5 RELEASE OF FIREARMS AND WEAPONS IN MENTAL ILLNESS MATTERS
Firearms and other deadly weapons confiscated from an individual detained for an evaluation by a mental health professional or subject to the provisions of Welfare and Institutions Code § 8100 or Welfare and Institutions Code § 8103 shall be released or disposed of as follows:

(a) If a petition for a hearing regarding the return of the weapon has been initiated pursuant to Welfare and Institutions Code § 8102(c), the weapon shall be released or disposed of as provided by an order of the court. If the court orders a firearm returned, the firearm shall not be returned unless and until the person presents valid identification and written notification from the California Department of Justice (DOJ) which conforms to the provisions of Penal Code § 33865.

(b) If no petition has been initiated pursuant to Welfare and Institutions Code § 8102(c) and the weapon is not retained as evidence, the Department shall make the weapon available for return. No firearm will be returned unless and until the person presents valid identification and written notification from the California DOJ which conforms to the provisions of Penal Code § 33865.

(c) Unless the person contacts the [Department/Office] to facilitate the sale or transfer of the firearm to a licensed dealer pursuant to Penal Code § 33870, firearms not returned should be sold, transferred, destroyed or retained as provided in Welfare and Institutions Code § 8102.

804.4.6 RELEASE OF FIREARMS IN GUN VIOLENCE RESTRAINING ORDER MATTERS
Firearms and ammunition that were taken into temporary custody or surrendered pursuant to a gun violence restraining order shall be returned to the restrained person upon the expiration of the order and in accordance with the requirements of Penal Code § 33850 et seq. (Penal Code § 18120).

If the restrained person who owns the firearms or ammunition does not wish to have the firearm or ammunition returned, he/she is entitled to sell or transfer title to a licensed dealer, provided that the firearms or ammunition are legal to own or possess and the restrained person has right to title of the firearms or ammunition (Penal Code § 18120).

If a person other than the restrained person claims title to the firearms or ammunition surrendered pursuant to Penal Code § 18120 and the Pleasant Hill Police Department determines him/her to be the lawful owner, the firearms or ammunition shall be returned in accordance with the requirements of Penal Code § 33850 et seq. (Penal Code § 18120).

Firearms and ammunition that are not claimed are subject to the requirements of Penal Code § 34000.

804.5 DISPOSITION OF PROPERTY
All property not held for evidence in a pending criminal investigation or proceeding, and held for six months or longer where the owner has not been located or fails to claim the property, may be disposed of in compliance with existing laws upon receipt of proper authorization for disposal. The Property and Evidence CSO shall request a disposition or status on all property which has been held. 

Copyright Lexipol, LLC 2019/12/31, All Rights Reserved. Published with permission by Pleasant Hill Police Department

Property and Evidence - 576
804.5.1 EXCEPTIONAL DISPOSITIONS
The following types of property shall be destroyed or disposed of in the manner, and at the time prescribed by law, unless a different disposition is ordered by a court of competent jurisdiction:

- Weapons declared by law to be nuisances (Penal Code § 29300; Penal Code § 18010; Penal Code § 32750)
- Animals, birds, and related equipment that have been ordered forfeited by the court (Penal Code § 599a)
- Counterfeiting equipment (Penal Code § 480)
- Gaming devices (Penal Code § 335a)
- Obscene matter ordered to be destroyed by the court (Penal Code § 312)
- Altered vehicles or component parts (Vehicle Code § 10751)
- Narcotics (Health and Safety Code § 11474 et seq.)
- Unclaimed, stolen or embezzled property (Penal Code § 1411)
- Destructive devices (Penal Code § 19000)
- Sexual assault evidence (Penal Code § 680(e))

804.5.2 UNCLAIMED MONEY
If found or seized money is no longer required as evidence and remains unclaimed after three years, the Department shall cause a notice to be published each week for a period of two consecutive weeks in a local newspaper of general circulation (Government Code § 50050). Such notice shall state the amount of money, the fund in which it is held and that the money will become the property of the agency on a designated date not less than 45 days and not more than 60 days after the first publication (Government Code § 50051).

Any individual item with a value of less than $15.00, or any amount if the depositor/owner’s name is unknown, which remains unclaimed for a year or by order of the court, may be transferred to the general fund without the necessity of public notice (Government Code § 50055).

If the money remains unclaimed as of the date designated in the published notice, the money will become the property of this department to fund official law enforcement operations. Money representing restitution collected on behalf of victims shall either be deposited into the Restitution Fund or used for purposes of victim services.

804.5.3 RETENTION OF BIOLOGICAL EVIDENCE
The Support Services Supervisor shall ensure that no biological evidence held by the department is destroyed without adequate notification to the following persons, when applicable:

(a) The defendant
(b) The defendant’s attorney
(c) The appropriate prosecutor and Attorney General
(d) Any sexual assault victim
(e) The Support Services Division supervisor

Biological evidence shall be retained for either a minimum period that has been established by law (Penal Code § 1417.9) or that has been established by the Support Services Supervisor, or until the expiration of any imposed sentence that is related to the evidence, whichever time period is greater. Following the retention period, notifications should be made by certified mail and should inform the recipient that the evidence will be destroyed after a date specified in the notice unless a motion seeking an order to retain the sample is filed and served on the Department within 180 days of the date of the notification. A record of all certified mail receipts shall be retained in the appropriate file. Any objection to, or motion regarding, the destruction of the biological evidence should be retained in the appropriate file and a copy forwarded to the Support Services Division supervisor.

Biological evidence related to a homicide shall be retained indefinitely and may only be destroyed with the written approval of the Chief of Police and the head of the applicable prosecutor’s office.

Biological evidence or other crime scene evidence from an unsolved sexual assault should not be disposed of prior to expiration of the statute of limitations and shall be retained as required in Penal Code § 680. Even after expiration of an applicable statute of limitations, the Support Services Division supervisor should be consulted and the sexual assault victim shall be notified at least 60 days prior to the disposal (Penal Code § 680). Reasons for not analyzing biological evidence shall be documented in writing (Penal Code § 680.3).
Support Services Division

805.1 PURPOSE AND SCOPE
This policy establishes the guidelines for the operational functions of the Pleasant Hill Police Department Support Services Division. The policy addresses department file access and internal requests for case reports.

805.2 POLICY
It is the policy of the Pleasant Hill Police Department to maintain department records securely, professionally and efficiently.

805.3 DETERMINATION OF FACTUAL INNOCENCE
In any case where a person has been arrested by officers of the Pleasant Hill Police Department and no accusatory pleading has been filed, the person arrested may petition the Department to destroy the related arrest records. Petitions should be forwarded to the Investigations Division Commander. The Investigations Division Commander or designee should promptly contact the prosecuting attorney and request a written opinion as to whether the petitioner is factually innocent of the charges (Penal Code § 851.8). Factual innocence means the accused person did not commit the crime.

Upon receipt of a written opinion from the prosecuting attorney affirming factual innocence, the Investigations Division Commander should forward the petition to the Captain, Administration, and possibly City Attorney for review. After such review and consultation, the Investigations Division Commander and the Captain shall decide whether a finding of factual innocence is appropriate.

Upon determination that a finding of factual innocence is appropriate, the Support Services Supervisor shall ensure that the arrest record and petition are sealed for later destruction and the required notifications are made to the California Department of Justice and other law enforcement agencies (Penal Code § 851.8).

The Captain or Investigations Division Supervisor should respond to a petition with the Department's decision within 45 days of receipt. Responses should include only the decision of the Department, not an explanation of the analysis leading to the decision.

Note: There may be some cases in which it is most appropriate to forward the petition to the Support Services Division Commander.

805.4 REQUIRED COPIES OF REPORTS
This section provides guidelines to Services Division personnel in determining the proper number of printed copies which must be made of all reports and how those copies are distributed.

It is the policy of this Department that the Services Division will be responsible for the preparation, copying and distribution of all reports generated by all Department personnel, except those assigned to the Investigations Division. In keeping with that policy, the below procedures will assist
Support Services Division

Services Division personnel in duplicating the correct number of copies of all reports that are processed by the Services Division.

805.4.1 MISDEMEANOR ARRESTS (ADULTS)

(a) The following is applicable to misdemeanor arrests:
1. One copy for the District Attorney (a printout of the "rap" sheet on each defendant must be attached to the D.A. copy, if applicable).
2. One copy for the court (a court disposition form must be attached to the court copy).
3. One copy for each defendant.
4. Make any copies specified by the reporting officer.

(b) If a citation has been issued:
1. Attach the white copy to the court copy of the report.
2. Attach the yellow copy to the defendant copy of the report.
3. Place the pink copy in the file tray to be filed in the PHPD citation file.

(c) Exceptions
1. Warrant Arrests This is an internal report, and no copies are made unless specified by the reporting officer.
2. § 5150 Welfare and Institutions Code Arrests This is an internal report, and no copies are made unless specified by the reporting officer.
3. § 647(f) Penal Code (Drunk) Arrests - This is an internal report, and no copies are made unless specified by the reporting officer.

805.4.2 JUVENILE ARRESTS (MISDEMEANOR AND FELONY)

(a) If the juvenile is booked into Juvenile Hall, copies are made for:
1. Juvenile Hall.
2. Detectives (if the crime was a felony).

(b) If the juvenile was cited to Youth Services Bureau, copies are made for:
1. PHPD Youth Services Bureau (attach the copies of the YSB citation to the YSB copy of the report).

805.4.3 FELONY ARRESTS (ADULT)

(a) Make all copies as indicated for misdemeanor arrests and attached the same documents plus a copy for the probation department.
805.4.4 ACCIDENT REPORTS

(a) If the reporting officer does not recommend a citation:
   1. One copy for the California Highway Patrol.
   2. One copy for City Hall.
   3. Make any copies specified by the reporting officer.

(b) If the reporting officer recommends a citation:
   1. One copy for the California Highway Patrol.
   2. One copy for City Hall.
   3. One copy for the court (attach original copy of the citation to the court copy, along with a Court Declaration form letter).
   4. One copy for each defendant (the defendant's copy of the citation is mailed along with a form letter).
   5. Make any copies specified by the reporting officer.
   6. Attach a copy of the DMV printout to the court copy of the report.

805.4.5 ABANDONED VEHICLE REPORTS

Send a “Notice of Stored Vehicle” to:

(a) The legal owner of the vehicle, if listed.
(b) The registered owner of the vehicle as listed on the DMV printout.
(c) The tow company which towed the vehicle.
(d) Make a copy for the case file.
(e) Make any copies specified by the reporting officer.

805.5 ORIGINAL CASE REPORTS

Generally, original case reports shall not be removed from the Support Services Division. Should an original case report be needed for any reason, the requesting department member shall first obtain authorization from the Support Services Supervisor. All original case reports removed from the Support Services Division shall be recorded on a designated report check-out log, which shall be the only authorized manner by which an original case report may be removed from the Support Services Division.

All original case reports to be removed from the Support Services Division shall be photocopied and the photocopy retained in the file location of the original case report until the original is returned to the Support Services Division. The photocopied report shall be shredded upon return of the original report to the file.
805.6 CONFIDENTIALITY
Support Services Division staff has access to information that may be confidential or sensitive in nature. Support Services Division staff shall not access, view or distribute, or allow anyone else to access, view or distribute any record, file or report, whether in hard copy or electronic file format, or any other confidential, protected or sensitive information except in accordance with the Records Maintenance and Release and Protected Information policies and the Support Services Division procedure manual.

805.7 ARREST WITHOUT FILING OF ACCUSATORY PLEADING
The Operations Division Commander should ensure a process is in place for when an individual is arrested and released and no accusatory pleading is filed so that the following occurs (Penal Code § 849.5; Penal Code § 851.6):

(a) The individual is issued a certificate describing the action as a detention.

(b) All references to an arrest are deleted from the arrest records of the Department and the record reflects only a detention.

(c) The Bureau of Criminal Identification and Investigation of the DOJ is notified.
The primary purpose for restoring firearm serial numbers is to determine the prior owners or origin of the item from which the number has been recovered. Thus, property can be returned to rightful owners or investigations can be initiated to curb illegal trade of contraband firearms. The purpose of this plan is to develop standards, methodologies, and safety protocols for the recovery of obliterated serial numbers from firearms and other objects using procedures that are accepted as industry standards in the forensic community. All personnel who are involved in the restoration of serial numbers will observe the following guidelines. This policy complies with Penal Code § 11108.9.

Any firearm coming into the possession of the Pleasant Hill Police Department as evidence, found property, etc., where the serial numbers have been removed or obliterated will be processed in the following manner:

### PRELIMINARY FIREARM EXAMINATION

(a) Always keep the muzzle pointed in a safe direction. Be sure the firearm is in an unloaded condition. This includes removal of the ammunition source (e.g., the detachable magazine, contents of the tubular magazine) as well as the chamber contents.

(b) If the firearm is corroded shut or in a condition that would preclude inspection of the chamber contents, treat the firearm as if it is loaded. Make immediate arrangements for a firearms examiner or other qualified examiner to render the firearm safe.

(c) Accurately record/document the condition of the gun when received. Note the positions of the various components such as the safeties, cylinder, magazine, slide, hammer, etc. Accurately record/document cylinder chamber and magazine contents. Package the ammunition separately.

(d) If the firearm is to be processed for fingerprints or trace evidence, process before the serial number restoration is attempted. First record/document important aspects such as halos on the revolver cylinder face or other relevant evidence that might be obscured by the fingerprinting chemicals.

### PROPERTY BOOKING PROCEDURE

Any employee taking possession of a firearm with removed/obliterated serial numbers shall book the firearm into property following standard procedures. The employee booking the firearm shall indicate on the property form that serial numbers have been removed or obliterated.
806.2.3 OFFICER RESPONSIBILITY
The Property/Evidence CSO receiving a firearm when the serial numbers have been removed or obliterated shall arrange for the firearm to be transported to the crime lab or transferred to Department CSIs for restoration and maintain the chain of evidence.

806.2.4 DOCUMENTATION
Case reports are prepared in order to document the chain of custody and the initial examination and handling of evidence from the time it is received/collected until it is released.

This report must include a record of the manner in which and/or from whom the firearm was received. This may appear on the request form or property form depending on the type of evidence.

806.2.5 FIREARM TRACE
After the serial number has been restored (or partially restored) by the criminalistics laboratory, an assigned employee will complete a Bureau of Alcohol, Tobacco, and Firearms (ATF) NTC Obliterated Serial Number Trace Request Form (ATC 3312.1-OBL) and forward the form to the National Tracing Center in Falling Waters, West Virginia or enter the data into the ATF eTrace system.

806.3 BULLET AND CASING IDENTIFICATION
Exemplar bullets and cartridge cases from the firearm, depending upon acceptance criteria and protocol, may be submitted to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) National Integrated Ballistic Information Network (NIBIN) which uses the Integrated Ballistic Identification System (IBIS) technology to search the national database and compare with ballistic evidence recovered from other crime scenes.
Marijuana Records Purge Requirements

807.1 PURPOSE AND SCOPE
This Policy establishes a procedure for the purging and destruction of records relating to certain marijuana violation arrests in compliance with a decision of the California Supreme Court.

807.2 POLICY
It is the policy of this Department that the Services Division will be responsible for complying with the provisions of the decision of the California Supreme Court regarding the purging and destruction of the records of certain marijuana-related arrests. In doing so, the below procedures will be followed.

807.2.1 DEFINITIONS
Purge To permanently physically destroy or obliterate all entries or notations of the record in such a manner so that it appears that the arrest or conviction never occurred.

Record Any document in the possession of the Pleasant Hill Police Department which would contain information pertaining to the arrest, citation and/or conviction of offenders who were charged with the violation of the sections listed above. Such records would include, but would not be limited to:

- RMS files.
- Incident log entries.
- Crime reports.
- Arrest logs.
- Citation files.
- Alpha files, including photocopies of old alpha strips.
- Mug shot photo files.
- Controlled substance destruction records.

807.3 PROCEDURES
Health and Safety Code § 11361.5 stipulates that certain police records relating to arrests made for certain marijuana-related offenses be purged and sealed or destroyed. Two distinct types of purges are required, depending upon the violation:

807.3.1 AUTOMATIC PURGES
All records relating to violations of the below-listed Health and Safety Code which are over two years old must be purged from Department records.

§ 11357(a) Possession of more than one ounce of marijuana.

§ 11357(b) Possession of less than one ounce of marijuana for personal use.
Marijuana Records Purge Requirements

§ 11360(a) Furnishing more than one ounce of marijuana.

§ 11360 (b) Furnishing less than one ounce of marijuana.

807.3.2 DEMAND PURGES

(a) Any person arrested and/or convicted of any of the below-listed sections of the Health and Safety Code prior to January 1, 1976, may make application to the Department of Justice to have the record purged:

2. Unlawful possession of paraphernalia used for smoking marijuana in violation of § 11364 Health and Safety Code (as the section existed prior to January 1, 1976).
3. Unlawful visitation or presence in a room or place in which marijuana is being used in violation of § 11365 Health and Safety Code (as it existed prior to January 1, 1976).
4. Unlawfully using or being under the influence of marijuana in violation of § 11550 Health and Safety Code (as it existed prior to January 1, 1976).

(b) Applications for a demand purge are available through this Department. This Department has no involvement in this initial demand process other than to furnish applications upon request. Once we have received instructions from the Department of Justice to purge a record, the procedures outlined herein will be followed.

(c) The costs involved in the purging of these records will be initially borne by the agency maintaining the records. Reimbursement for these costs may be requested through the State Controller's Office. Forms for filing these claims are mailed during the first quarter of each fiscal year. The Services Division Commander is responsible for the filing of these claims by:

1. Submitting a statement showing the estimated number of claims to be filed for the fiscal year, accompanied by a cost breakdown.
2. If an estimate cannot be given, the form shall be marked "undetermined" and returned to the Controller's Office. At the end of the fiscal year, an itemized claim sheet is then mailed (after an estimate sheet has been submitted).

(d) Purging procedures are accomplished in the same manner, regardless of whether the purging is required as a demand purge or an automatic purge, as follows:

1. The RMS system shall be checked on a routine basis. This is a special computer datatrieve search that must be conducted by the SDS at the request of the person assigned to purge these records.
Marijuana Records Purge Requirements

(e) When a person has been charged with multiple offenses which include one or more of the charges specified above, only the information relating to the marijuana charges covered herein shall be obliterated/removed or destroyed.

(f) The actual obliteration or destruction is accomplished in both automated and manual files as follows:

1. Automated:
   (a) Event Screen Locate the Event in question and modify the entry to remove identifying information about the individual(s) arrested for the offense. Enter the date of modification and your ID number.
   (b) Case Screen Same as the Event Screen.
   (c) Alpha Screen If the purge offense is the only entry, delete the entire entry and activity. If there are other activities on the individual, delete only the MARP activity entry.
   (d) Property Screen Delete references to the MARP.
   (e) Vehicle Screen Same as for the Alpha Screen.
   (f) Archive tapes, if applicable. (A memo must be directed to the SDS reminding him/her that the archive tapes must be purged at the next playback.)
   (g) Any other checks of Department records available through the current technology in use.

2. Manual:
   (a) Incident Log Black out only those areas making reference to the MARP charge, leaving all other references to any other charges or violations. Mark the incident with the "Modified" stamp.
   (b) Police Report Black out, cut out or take whatever steps are necessary to eliminate mention of the Health and Safety investigation, leaving any references or information regarding any other violations or charges. Thus, the report would appear to concern only the investigation of the other charge(s).
   (c) Arrest Log Black out only the Health and Safety entry from the arrest log, leaving in the entry for any other charges. (It is not necessary to eliminate the suspect's identity if no reference to the specified Health and Safety sections can be drawn.)
   (g) The employee actually accomplishing the purging shall use the "Marijuana Purge Worksheet" as a guide. The assigned employee shall collect or obliterate all items
Marijuana Records Purge Requirements

noted on the worksheet and initial and date the worksheet next to each item as the required purge is accomplished.

(h) Any item or document that has been blackened out or disposed of shall be so noted by stamping each document "Modified or Destroyed as Required by Law," including the date of the purge and the initials of the employee accomplishing the purge. Additionally, the following steps shall be taken:

(a) Citations Locate and remove the citation from the file. Attach it to the worksheet and the "identifier." Insert a PHPD "Citation Correction" form in the citation file with the citation number listed, including the "purged" notation.

(b) Archive Alpha Name File Locate and black out any Alpha strips in the archive Alpha name index that pertain to the case number, including anyone listed as a suspect, complainant, reporting party, witness or involved. Place any such alpha strips in the case folder which has already been attached to the "identifier."

(c) Fingerprint File Locate and remove from the file, any fingerprint cards of the suspect which were collected as a result of the arrest being purged (make sure that only the print cards from that specific arrest are removed) and place them in the case file.

(i) If another charge or violation other than the marijuana offense is included on the fingerprint card, merely black out the reference to the marijuana section and stamp the print card accordingly. Do not destroy any fingerprint cards unless the specified marijuana offenses are the only charges.

807.3.3 MUG PHOTO FILE
Locate and remove from the file any booking photos of the suspect. Follow the same procedures as with the fingerprint cards if more than one offense is involved.

At this point, the employee assigned to the purge will bring all purged items to the SDS, who will direct the destruction of single offense reports by shredding, and will check multiple offense copies for obliteration of information pertaining to marijuana possession only and will direct the destruction of material as required.

The SDS will then direct the Property Clerk (assigned CSO) to black out all entries in the controlled substance destruction record which pertain to the particular arrest, suspect and evidence.

807.3.4 MICROFILM RECORDS
There is no practical way to modify microfilm rolls without destroying the integrity or strength of the film. Because all PHPD index information is purged in these cases, there is no way to intentionally locate the individual case after purging. We will make no attempt to modify these cases, and all personnel are instructed to review each and every microfilm copy prior to its release to ensure that any case containing MARP information is modified prior to its release from the Department.
Marijuana Records Purge Requirements

807.4 EXEMPTIONS TO PURGINGS
If the defendant or a co-defendant has filed a civil action against this agency, or peace officers of this agency, and a certified copy of the complaint in such a civil action has been received, no destruction of the record need be made until the action has been resolved.
Records Maintenance and Release

808.1 PURPOSE AND SCOPE
This policy provides guidance on the maintenance and release of department records. Protected information is separately covered in the Protected Information Policy.

808.2 POLICY
The Pleasant Hill Police Department is committed to providing public access to records in a manner that is consistent with the California Public Records Act (Government Code § 6250 et seq.).

808.3 CUSTODIAN OF RECORDS RESPONSIBILITIES
The Chief of Police shall designate a Custodian of Records. The responsibilities of the Custodian of Records include, but are not limited to:

(a) Managing the records management system for the Department, including the retention, archiving, release and destruction of department public records.

(b) Maintaining and updating the department records retention schedule including:
   1. Identifying the minimum length of time the Department must keep records.
   2. Identifying the department division responsible for the original record.

(c) Establishing rules regarding the inspection and copying of department public records as reasonably necessary for the protection of such records.

(d) Identifying records or portions of records that are confidential under state or federal law and not open for inspection or copying.

(e) Establishing rules regarding the processing of subpoenas for the production of records.

(f) Ensuring a current schedule of fees for public records as allowed by law is available (Government Code § 6253).

(g) Determining how the department’s website may be used to post public records in accordance with Government Code § 6253.

(h) Ensuring that public records posted on the Department website meet the requirements of Government Code § 6253.10 including, but not limited to, posting in an open format where a record may be retrieved, downloaded, indexed and searched by a commonly used Internet search application.

(i) Ensuring that a list and description, when applicable, of enterprise systems (as defined by Government Code § 6270.5) is publicly available upon request and posted in a prominent location on the Department’s website.
808.4 PROCESSING REQUESTS FOR PUBLIC RECORDS
Any department member who receives a request for any record shall route the request to the Custodian of Records or the authorized designee.

808.4.1 REQUESTS FOR RECORDS
Any member of the public, including the media and elected officials, may access unrestricted records of this department, during regular business hours by submitting a written and signed request that reasonably describes each record sought and paying any associated fees (Government Code § 6253).

The processing of requests for any record is subject to the following (Government Code § 6253):

(a) The Department is not required to create records that do not exist.

(b) Victims of an incident or their authorized representative shall not be required to show proof of legal presence in the United States to obtain department records or information. If identification is required, a current driver’s license or identification card issued by any state in the United States, a current passport issued by the United States or a foreign government with which the United States has a diplomatic relationship or current Matricula Consular card is acceptable (Government Code § 6254.30).

(c) Either the requested record or the reason for non-disclosure will be provided promptly, but no later than 10 days from the date of request, unless unusual circumstances preclude doing so. If more time is needed, an extension of up to 14 additional days may be authorized by the Custodian of Records or the authorized designee. If an extension is authorized, the Department shall provide the requester written notice that includes the reason for the extension and the anticipated date of the response.

1. When the request does not reasonably describe the records sought, the Custodian of Records shall assist the requester in making the request focused and effective in a way to identify the records or information that would be responsive to the request including providing assistance for overcoming any practical basis for denying access to the records or information. The Custodian of Records shall also assist in describing the information technology and physical location in which the record exists (Government Code § 6253.1).

2. If the record requested is available on the department website, the requester may be directed to the location on the website where the record is posted. If the requester is unable to access or reproduce the record, a copy of the record shall be promptly provided.

(d) Upon request, a record shall be provided in an electronic format utilized by the Department. Records shall not be provided only in electronic format unless specifically requested (Government Code § 6253.9).

(e) When a record contains material with release restrictions and material that is not subject to release restrictions, the restricted material shall be redacted and the unrestricted material released.

1. A copy of the redacted release should be maintained in the case file for proof of what was actually released and as a place to document the reasons for
the redactions. If the record is audio or video, a copy of the redacted audio/video release should be maintained in the department-approved media storage system and a notation should be made in the case file to document the release and the reasons for the redacted portions.

(f) If a record request is denied in whole or part, the requester shall be provided a written response that includes the statutory exemption for withholding the record or facts that the public interest served by nondisclosure outweighs the interest served by disclosure (Government Code § 6255). The written response shall also include the names, titles or positions of each person responsible for the denial.

808.5 RELEASE RESTRICTIONS
Examples of release restrictions include:

(a) Personal identifying information, including an individual’s photograph; Social Security and driver identification numbers; name, address and telephone number; and medical or disability information that is contained in any driver license record, motor vehicle record or any department record, including traffic collision reports, are restricted except as authorized by the Department, and only when such use or disclosure is permitted or required by law to carry out a legitimate law enforcement purpose (18 USC § 2721; 18 USC § 2722).

(b) Social Security numbers (Government Code § 6254.29).

(c) Personnel records, medical records and similar records which would involve an unwarranted invasion of personal privacy (Government Code § 6254; Penal Code § 832.7; Penal Code § 832.8; Evidence Code § 1043 et seq.).

1. Peace officer personnel records are deemed confidential and shall not be made public or otherwise released to unauthorized individuals or entities absent a valid court order.

2. The identity of any officer subject to any criminal or administrative investigation shall not be released without the consent of the involved officer, prior approval of the Chief of Police or as required by law.

(d) Victim information that may be protected by statutes, including victims of certain crimes who have requested that their identifying information be kept confidential, victims who are minors and victims of certain offenses (e.g., sex crimes or human trafficking, Penal Code § 293). Addresses and telephone numbers of a victim or a witness to any arrested person or to any person who may be a defendant in a criminal action shall not be disclosed, unless it is required by law (Government Code § 6254; Penal Code § 841.5).

1. Victims of certain offenses (e.g., domestic violence, sexual assault, stalking, human trafficking, adult abuse) or their representative shall be provided, upon request and without charge, one copy of all incident report face sheets, one copy of all incident reports, or both, pursuant to the requirements and time frames of Family Code § 6228.
2. Victims of sexual assault, upon written request, shall be provided a free copy of the initial crime report regardless of whether the report has been closed. Personal identifying information may be redacted (Penal Code § 680.2(b)).

(e) Video or audio recordings created during the commission or investigation of the crime of rape, incest, sexual assault, domestic violence or child abuse that depicts the face, intimate body part or voice of a victim of the incident except as provided by Government Code § 6254.4.5.

(f) Information involving confidential informants, intelligence information, information that would endanger the safety of any person involved or information that would endanger the successful completion of the investigation or a related investigation. This includes analysis and conclusions of investigating officers (Evidence Code § 1041; Government Code § 6254).

1. Absent a statutory exemption to the contrary or other lawful reason to deem information from reports confidential, information from unrestricted agency reports shall be made public as outlined in Government Code § 6254(f).

(g) Local criminal history information including, but not limited to, arrest history and disposition, and fingerprints shall only be subject to release to those agencies and individuals set forth in Penal Code § 13300.

1. All requests from criminal defendants and their authorized representatives (including attorneys) shall be referred to the District Attorney, City Attorney or the courts pursuant to Penal Code § 1054.5.

(h) Certain types of reports involving, but not limited to, child abuse and molestation (Penal Code § 11167.5), elder and dependent abuse (Welfare and Institutions Code § 15633) and juveniles (Welfare and Institutions Code § 827).

(i) Sealed autopsy and private medical information concerning a murdered child with the exceptions that allow dissemination of those reports to law enforcement agents, prosecutors, defendants or civil litigants under state and federal discovery laws (Code of Civil Procedure §130).

(j) Information contained in applications for licenses to carry firearms or other files that indicates when or where the applicant is vulnerable or which contains medical or psychological information (Government Code § 6254).

(k) Traffic collision reports (and related supplemental reports) shall be considered confidential and subject to release only to the California Highway Patrol, Department of Motor Vehicles (DMV), other law enforcement agencies and those individuals and their authorized representatives set forth in Vehicle Code § 20012.

(l) Any record created exclusively in anticipation of potential litigation involving this department (Government Code § 6254).

(m) Any memorandum from legal counsel until the pending litigation has been adjudicated or otherwise settled (Government Code § 6254.25).

(n) Records relating to the security of the department’s electronic technology systems (Government Code § 6254.19).
Records Maintenance and Release

(o) Any other record not addressed in this policy shall not be subject to release where such record is exempt or prohibited from disclosure pursuant to state or federal law, including, but not limited to, provisions of the Evidence Code relating to privilege (Government Code § 6254).

(p) Information connected with juvenile court proceedings or the detention or custody of a juvenile. Federal officials may be required to obtain a court order to obtain certain juvenile information (Welfare and Institutions Code § 827.9; Welfare and Institutions Code § 831).

808.6 SUBPOENAS AND DISCOVERY REQUESTS

Any member who receives a subpoena duces tecum or discovery request for records should promptly contact a supervisor and the Custodian of Records for review and processing. While a subpoena duces tecum may ultimately be subject to compliance, it is not an order from the court that will automatically require the release of the requested information.

Generally, discovery requests and subpoenas from criminal defendants and their authorized representatives (including attorneys) should be referred to the District Attorney, City Attorney or the courts.

All questions regarding compliance with any subpoena duces tecum or discovery request should be promptly referred to legal counsel for the Department so that a timely response can be prepared.

808.6.1 REPORT RELEASE PROCEDURES

Following are procedures for releasing copies of police reports:

The use of the Department report release form is voluntary except for juvenile cases. Employees will explain this to the requestor and inform them it aids the records release process but completion of the form is not legally required. If an employee is unsure about the release of information or can’t release the information the employee will attempt to have the requestor use the form and inform them the matter will be researched and an answer will be provided to requestor within 10 days. If the requestor doesn’t want to use the form, employees will attempt to otherwise obtain their contact information and relationship to the requested case.

Denials of releases cannot be based upon not using the form, except for juvenile cases. Employees who cannot immediately provide a report, may offer the requestor a copy of the (public) event or a loss verification pending research and a decision on the release of information.

Information will be provided to the requestor within 10 days of the request. Upon receipt of a request for information, denials of releases will be done in writing by the Support Services Division Commander or Support Services Supervisor within 10 days of the request. Report Release forms will be forwarded to the Support Services Division Supervisor.

The report release form will not be used for requests to see the adult arrest log within 90 days of the date of request, the public log books within 90 days of the date of the request, or the public...
portion of a specific event. The report release form is used for copies of reports not inspection
of public documents.

Employees will ask to see identification from requestors before releasing the report. Employees
will audit trail in RPW reports which are released.

The following kinds of cases require special handling: sex crimes, domestic violence cases,
stalking, hate crimes, child abuse, and elder abuse.

Many times victim and witness information also requires special handling.

808.6.2 ADULT ARREST LOG AND JUVENILE ARREST LOG VIEWING
Adult arrest logs are available for viewing up to 90 days prior to the date of request. Employees
will provide copies of the adult arrest log upon request. Employees will not inquire the reason for
viewing the adult arrest log and will not ask to see identification.

For requests to see the adult arrest log over 90 days prior to the date of the request, employees
will ask the requestor to complete the report release form or otherwise provide information specific
to the request. The request will be forwarded to the Support Services Supervisor for action. Arrest
information over 90 days old is considered local criminal history information and release of such
information is controlled by statute.

The juvenile arrest log is not available for viewing by the public under any circumstance.

808.6.3 JUVENILE REPORTS
For cases involving juveniles, other than traffic collisions: The requestor must complete the
Juvenile Report Release form. The report will not be released at the time of the request. The
Juvenile Court Judge will determine if the report can be released.

808.6.4 ACTIVE CASES/REPORTS WITH ARRESTS
For cases which are listed as active in RPW: Employees will ask the requestor to complete the
records release form or obtain the person’s contact information and relationship to the case.
Forward to the Support Services Supervisor; research and/or redaction must be done to comply
with the law and this may preclude immediate release of the report.

For cases involving arrests: Employees will ask the requestor to complete the records release form
or obtain the person’s contact information and relationship to the case. Forward to the Support
Services Supervisor. Research and/or redaction must be done to comply with the law and this
may preclude immediate release of the report.

Suspects whose cases are being prosecuted by the District Attorney’s Office will receive their
report from the DA’s office via discovery during court proceedings.

Suspects in cases which were adjudicated or in which charges were not filed, may receive a copy
of the report but certain information may require redaction. Employees will ask the suspect to
complete the records release form or obtain contact information and their relationship to the case.
Forward the request to the Support Services Supervisor.
808.6.5  IDENTITY THEFT REPORTS
Identity theft reports (530.5 PC) without suspect information or witnesses and the case is inactive:
Reports should be released immediately upon verification of requestor identity.

Identity theft reports with suspect information or arrests: Employees will ask the requestor to complete the records release form or obtain the person's contact information and relationship to the case. Forward to the Support Services Supervisor. Research and/or redaction must be done to comply with the law. This may not allow for immediate release of the report.

808.6.6  DOMESTIC VIOLENCE VICTIM
Domestic violence victims can obtain a copy of their report but depending upon the circumstances certain information may require redaction. Employees will ask the requestor to complete the report release form or obtain the person's contact information and relationship to the case. Employees will forward the request to the Support Services Supervisor for action on redaction. This may not allow for immediate release of the report.

808.6.7  5150 WI DETAINEE
5150 WI reports are not releasable under most circumstances. A detainee may obtain their own report but certain information may require redaction. Please ask the person to complete the records release form and forward to the Support Services Supervisor. This may preclude immediate report release.

808.6.8  TRAFFIC COLLISIONS
Employees will have the person confirm they are a driver, owner, or other involved party and will release the report. Requests for the release the DUI or arrest portion of the report will follow the procedures outlined above for arrest cases.

808.6.9  CALLS FOR SERVICE/PUBLIC LOG
The details of the public log involving arrests are releasable up to 90 days prior to the date of the request. Calls involving arrests are not releasable after 90 days unless the arrest information is redacted. Public log details not involving arrests are releasable at any time.

If a person asks for an event printout on a specific date or address, employees will provide a copy of the public event log for that date or event OR print the event screen with the DISPO screen on the bottom. Use Control and P to print. A reasonable number of copies can be provided free of charge.

Employees will not release events with reporting party telephone numbers.

Employees will not inquire for the reason for viewing the public log and will not ask for identification to see it.

808.6.10  MONTHLY STATISTICAL REPORT
Monthly Statistical Report: The monthly statistical report is releasable to anyone who asks for it.

Employees will provide a reasonable number of copies free of charge.
Records Maintenance and Release

Employees will not ask for identification before providing this document.

808.6.11 THEFT/BURGLARY VICTIMS
For cases in which the requestor is the victim of a burglary, auto theft, or theft without witnesses and no suspect information or arrest and the case is inactive- the report should be released immediately.

Employees may ask the requestor to use the report release form or otherwise determine the requestors relationship to the case and employees will also verify the requestor's identification.

808.6.12 USE OF REPORT RELEASE FORM
Employees will verify identity and the requestor's relationship to a case prior to releasing a police report. (Note: this doesn't apply to requests to view or inspect the public log, obtain copies of public log events, or compliance with calls for service requests, see above.)

If the report release form is used it will be forwarded to the case file.

Correspondence regarding denials of report releases will be approved by the Division Commander or Support Services Supervisor and a copy of the correspondence will be forwarded to the case file.

808.6.13 REDACTION PROCEDURES
All cases which are subject to redaction will be forwarded to the Support Services Supervisor for action. The Support Services Supervisor or other designee of the Division Commander will usually be responsible for redaction. The Division Commander or other designee should cross check the redaction.

A copy of the redacted report will be retained in the case file. A notation will be made in RPW that the redacted version of the report was released. Copies will be stamped with the Department stamp.

808.7 RELEASED RECORDS TO BE MARKED
Each page of any written record released pursuant to this policy should be stamped in a colored ink or otherwise marked to indicate the department name and to whom the record was released.

Each audio/video recording released should include the department name and to whom the record was released.

808.8 SEALED RECORD ORDERS
Sealed record orders received by the Department shall be reviewed for appropriate action by the Custodian of Records. The Custodian of Records shall seal such records as ordered by the court. Records may include, but are not limited to, a record of arrest, investigation, detention or conviction. Once the record is sealed, members shall respond to any inquiry as though the record did not exist (Penal Code § 851.8; Welfare and Institutions Code § 781).
Records Maintenance and Release

When an arrest record is sealed pursuant to Penal Code § 851.87, Penal Code § 851.90, Penal Code § 951.91, Penal Code § 1000.4 or Penal Code § 1001.9, the Support Services Supervisor shall ensure that the required notations on local summary criminal history information and police investigative reports are made. Sealed records may be disclosed or used as authorized by Penal Code § 851.92.

808.9 SECURITY BREACHES
The Support Services Supervisor shall ensure notice is given anytime there is a reasonable belief an unauthorized person has acquired either unencrypted personal identifying information or encrypted personal information along with the encryption key or security credential stored in any Department information system (Civil Code § 1798.29).

Notice shall be given as soon as reasonably practicable to all individuals whose information may have been acquired. The notification may be delayed if the Department determines that notification will impede a criminal investigation or any measures necessary to determine the scope of the breach and restore the reasonable integrity of the data system.

For the purposes of this requirement, personal identifying information includes an individual’s first name or first initial and last name in combination with any one or more of the following:

- Social Security number
- Driver license number or California identification card number
- Account number or credit or debit card number, in combination with any required security code, access code or password that would permit access to an individual's financial account
- Medical information
- Health insurance information
- A username or email address, in combination with a password or security question and answer that permits access to an online account
- Information or data collected by Automated License Plate Reader (ALPR) technology

808.9.1 FORM OF NOTICE
(a) The notice shall be written in plain language, be consistent with the format provided in Civil Code § 1798.29 and include, to the extent possible, the following:

1. The date of the notice.
2. Name and contact information for the Pleasant Hill Police Department.
3. A list of the types of personal information that were or are reasonably believed to have been acquired.
4. The estimated date or date range within which the security breach occurred.
5. Whether the notification was delayed as a result of a law enforcement investigation.
6. A general description of the security breach.

7. The toll-free telephone numbers and addresses of the major credit reporting agencies, if the breach exposed a Social Security number or a driver license or California identification card number.

(b) The notice may also include information about what the Pleasant Hill Police Department has done to protect individuals whose information has been breached and may include information on steps that the person whose information has been breached may take to protect him/herself (Civil Code § 1798.29).

(c) When a breach involves an online account, and only a username or email address in combination with either a password or security question and answer that would permit access to an online account, and no other personal information has been breached (Civil Code § 1798.29):

1. Notification may be provided electronically or in another form directing the person to promptly change either his/her password or security question and answer, as applicable, or to take other appropriate steps to protect the online account with the Department in addition to any other online accounts for which the person uses the same username or email address and password or security question and answer.

2. When the breach involves an email address that was furnished by the Pleasant Hill Police Department, notification of the breach should not be sent to that email address but should instead be made by another appropriate medium as prescribed by Civil Code § 1798.29.

808.9.2 MANNER OF NOTICE

(a) Notice may be provided by one of the following methods (Civil Code § 1798.29):

1. Written notice.

2. Electronic notice if the notice provided is consistent with the provisions regarding electronic records and signatures set forth in 15 USC § 7001.

3. Substitute notice if the cost of providing notice would exceed $250,000, the number of individuals exceeds 500,000 or the Department does not have sufficient contact information. Substitute notice shall consist of all of the following:
   (a) Email notice when the Department has an email address for the subject person.
   (b) Conspicuous posting of the notice on the department’s webpage for a minimum of 30 days.

4. Notification to major statewide media and the California Information Security Office within the California Department of Technology.

(b) If a single breach requires the Department to notify more than 500 California residents, the Department shall electronically submit a sample copy of the notification, excluding any personally identifiable information, to the Attorney General.
Stolen Vehicle System

809.1 PURPOSE AND SCOPE
This Policy explains the policy and procedures regarding the use of and input into the Stolen Vehicle System operated and maintained by the State of California as directed by the Penal Code.

809.2 POLICY
In compliance with the provisions of Penal Code § 11108, it is the policy of this Department that all vehicles reported to this Department as being stolen will be entered into the Stolen Vehicle System (SVS).

809.3 PROCEDURES
(a) Whenever a report is made to this Department that a vehicle has been stolen, the vehicle(s) will be entered into the SVS.
(b) "Vehicles," within the context of this Policy, include:
   1. Automobiles.
   2. Trucks.
   3. Trailers.
   4. Motorcycles.
   5. Aircraft.
   7. Vehicle parts.
   8. Lost or stolen license plates.
(c) For assistance in the method of entering vehicles into the SVS, consult the CJIS Manual maintained in the Dispatch Center.
Protected Information

810.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines for the access, transmission, release and security of protected information by members of the Pleasant Hill Police Department. This policy addresses the protected information that is used in the day-to-day operation of the Department and not the public records information covered in the Records Maintenance and Release Policy.

810.2 AUTHORITY
This policy is established pursuant to the mandate of the Regulations Regarding Security of Criminal Offender Record Information in California, Title 11, California Code of Regulations. Other authority includes Penal Code § 11105, which delineates who has access to Criminal Offender Record Information (CORI), and Penal Code §§ 11140 through 11144, which establishes penalties for the improper use of rap sheets.

810.3 RESPONSIBILITIES
The Chief of Police shall select a member of the Department to coordinate the use of protected information.

The responsibilities of this position include, but are not limited to:

(a) Ensuring member compliance with this policy and with requirements applicable to protected information, including requirements for the National Crime Information Center (NCIC) system, National Law Enforcement Telecommunications System (NLETS), Department of Motor Vehicle (DMV) records and California Law Enforcement Telecommunications System (CLETs).

(b) Developing, disseminating and maintaining procedures that adopt or comply with the U.S. Department of Justice’s current Criminal Justice Information Services (CJIS) Security Policy.

(c) Developing, disseminating and maintaining any other procedures necessary to comply with any other requirements for the access, use, dissemination, release and security of protected information.

(d) Developing procedures to ensure training and certification requirements are met.

(e) Resolving specific questions that arise regarding authorized recipients of protected information.

(f) Ensuring security practices and procedures are in place to comply with requirements applicable to protected information.

810.4 ACCESS TO PROTECTED INFORMATION
Protected information shall not be accessed in violation of any law, order, regulation, user agreement, Pleasant Hill Police Department policy or training. Only those members who have completed applicable training and met any applicable requirements, such as a background check,
may access protected information, and only when the member has a legitimate work-related reason for such access.

Unauthorized access, including access for other than a legitimate work-related purpose, is prohibited and may subject a member to administrative action pursuant to the Personnel Complaints Policy and/or criminal prosecution.

810.4.1 PENALTIES FOR MISUSE OF RECORDS
It is a misdemeanor to furnish, buy, receive or possess Department of Justice criminal history information without authorization by law (Penal Code § 11143).

Authorized persons or agencies violating state regulations regarding the security of Criminal Offender Record Information (CORI) maintained by the California Department of Justice may lose direct access to CORI (11 CCR 702).

810.4.2 RELEASE OF CORI
Only the persons listed below are authorized to release CORI. Each authorized person releasing CORI is responsible to ensure that each request granted appears legitimate and that the requester is an authorized recipient with a right and need to know.

(a) Support Services Supervisor
(b) Full-time employees of the Support Services Division
(c) Full time police officers as defined in 830.1 PC
(d) Duly appointed reserve officers while on duty and in compliance with statutes and regulations

810.4.3 RELEASE OF CORI TO FIELD PERSONNEL
Personnel shall not have access to CORI until a background investigation has been completed and approved.

CORI shall not generally be transmitted by radio, cellular phone, or through computer terminals to field personnel or vehicles except in cases where circumstances reasonably indicate that the immediate safety of the officer or the public are at significant risk. Examples of situations where the transmission of summary criminal history information would be justified include a hostage situation or an armed suspect however a routine investigation or traffic enforcement stop would not be sufficient justification.

Nothing in this procedure is intended to prohibit broadcasting warrant information concerning wanted persons.

810.5 RELEASE OR DISSEMINATION OF PROTECTED INFORMATION
Protected information may be released only to authorized recipients who have both a right to know and a need to know.
Protected Information

A member who is asked to release protected information that should not be released should refer the requesting person to a supervisor or to the Support Services Supervisor for information regarding a formal request.

Unless otherwise ordered or when an investigation would be jeopardized, protected information maintained by the Department may generally be shared with authorized persons from other law enforcement agencies who are assisting in the investigation or conducting a related investigation. Any such information should be released through the Support Services Division to ensure proper documentation of the release (see the Records Maintenance and Release Policy).

Protected information, such as Criminal Justice Information (CJI), which includes Criminal History Record Information (CHRI), should generally not be transmitted by radio, cellular telephone or any other type of wireless transmission to members in the field or in vehicles through any computer or electronic device, except in cases where there is an immediate need for the information to further an investigation or where circumstances reasonably indicate that the immediate safety of officers, other department members or the public is at risk.

Nothing in this policy is intended to prohibit broadcasting warrant information.

810.5.1 REVIEW OF CRIMINAL OFFENDER RECORD
Individuals requesting to review their own California criminal history information shall be referred to the Department of Justice (Penal Code § 11121).

Individuals shall be allowed to review their arrest or conviction record on file with the Department after complying with all legal requirements regarding authority and procedures in Penal Code § 11120 through Penal Code § 11127 (Penal Code § 13321).

810.6 SECURITY OF PROTECTED INFORMATION
The Chief of Police will select a member of the Department to oversee the security of protected information.

The responsibilities of this position include, but are not limited to:

(a) Developing and maintaining security practices, procedures and training.

(b) Ensuring federal and state compliance with the CJIS Security Policy and the requirements of any state or local criminal history records systems.

(c) Establishing procedures to provide for the preparation, prevention, detection, analysis and containment of security incidents including computer attacks.

(d) Tracking, documenting and reporting all breach of security incidents to the Chief of Police and appropriate authorities.

810.6.1 MEMBER RESPONSIBILITIES
Members accessing or receiving protected information shall ensure the information is not accessed or received by persons who are not authorized to access or receive it. This includes leaving protected information, such as documents or computer databases, accessible to others.
when it is reasonably foreseeable that unauthorized access may occur (e.g., on an unattended

table or desk; in or on an unattended vehicle; in an unlocked desk drawer or file cabinet; on an

unattended computer terminal).

**810.7  TRAINING**

All members authorized to access or release protected information shall complete a training

program that complies with any protected information system requirements and identifies

authorized access and use of protected information, as well as its proper handling and

dissemination.

**810.7.1  COMPUTER TERMINAL SECURITY**

Computer terminal equipment capable of providing access to automated criminal offender record

information is located in the Support Services Division, Dispatch, Briefing and in the Investigations

Division to preclude access by unauthorized persons.

No employee shall be authorized to operate computer terminal equipment with access to CORI

to until the operator has completed the appropriate training.

**810.7.2  DESTRUCTION OF CORI**

When any document providing CORI has served the purpose for which it was obtained, it shall

be destroyed by shredding.

Each employee shall be responsible for destroying the CORI documents they receive.

**810.7.3  CUSTODIAN OF CRIMINAL RECORDS**

The Support Services Supervisor, unless otherwise directed by the Support Services Division

Commander, shall be the Department's official Custodian of Criminal Records. The Custodian of

Criminal Records shall be responsible for the security, storage, dissemination and destruction of

criminal records, and will serve as a primary contact for the California Department of Justice for

any related issues. The Support Services Division Commander may appoint other department

employees to the role of Custodian of Criminal Records, who will share the same responsibilities

regarding criminal records.

The Support Services Commander will ensure that he/she makes the appropriate applications

and notifications to the California Department of Justice regarding the Department's Custodian of

Criminal Record appointments, per the requirements of Penal Code § 11102.2.

This subsection is not intended to interfere with any other employee acting as a custodian of

records for other statutory purposes but is narrowly tailored to address issues of criminal history

records.

**810.8  TRAINING PROGRAM**

All personnel authorized to process or release CORI shall be required to complete a training

program prescribed by the Criminal Record Security Officer. The Training Bureau shall coordinate

the course to provide training in the proper use, control, and dissemination of CORI.
810.9 PENALTIES FOR MISUSE OF RECORDS
Penal Code §§ 11140 and 11144 make it a misdemeanor to furnish, buy, receive, or possess Department of Justice rap sheets without authorization by a court, statute, or case law.

Title 11, California Administrative Code § 702 provides that authorized persons or agencies violating the Regulations Regarding the Security of Criminal Offender Record Information in California may lose direct access to CORI maintained by the California Department of Justice.

Divulging the content of any criminal record to anyone other than authorized personnel is a violation of Policy Manual § 340.3.7(a).

Employees who obtain, or attempt to obtain, information from the department files other than that to which they are entitled in accordance with their official duties is a violation of Policy Manual § 340.3.7(a).

810.10 CALIFORNIA RELIGIOUS FREEDOM ACT
Members shall not release personal information from any agency database for the purpose of investigation or enforcement of any program compiling data on individuals based on religious belief, practice, affiliation, national origin or ethnicity (Government Code § 8310.3).
Case Folders

811.1 PURPOSE AND SCOPE
This policy provides personnel with instructions on the proper selection of case folders in compliance with the color coding system currently in use by this Department.

811.2 PROCEDURES
(a) All reports prepared by personnel of this Department will be assigned a case number.
(b) Report folders are selected by color based upon the next-to-last digit of the case number, as follows:

<table>
<thead>
<tr>
<th>Digit</th>
<th>Color</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>White</td>
</tr>
<tr>
<td>1</td>
<td>Orange</td>
</tr>
<tr>
<td>2</td>
<td>Yellow</td>
</tr>
<tr>
<td>3</td>
<td>Green</td>
</tr>
<tr>
<td>4</td>
<td>Blue</td>
</tr>
<tr>
<td>5</td>
<td>Pink</td>
</tr>
<tr>
<td>6</td>
<td>Red</td>
</tr>
<tr>
<td>7</td>
<td>Purple</td>
</tr>
<tr>
<td>8</td>
<td>Tan</td>
</tr>
<tr>
<td>9</td>
<td>Grey</td>
</tr>
</tbody>
</table>

- Reports are then numerically coded according to the last digit of the case number by coloring in the appropriate rectangle along the edge of the case folder that corresponds to the case number. The case number will also be written on the upper right-hand corner of the case folder and the lower right-hand corner of the case folder.
- An example of the above coding system would be:
  - Case number 05-1156 would be placed in a pink folder because the next-to-last number of the case number is "5."
  - The rectangle number "6" on the edge of the case folder would be blackened out because the last number of the case number is "6."
  - The entire case number (05-1156) would be written on the upper and lower right-hand corners of the case folder.
Computers and Digital Evidence

812.1 PURPOSE AND SCOPE
This policy establishes procedures for the seizure and storage of computers, personal communications devices (PCDs) digital cameras, digital recorders and other electronic devices that are capable of storing digital information; and for the preservation and storage of digital evidence. All evidence seized and/or processed pursuant to this policy shall be done so in compliance with clearly established Fourth Amendment and search and seizure provisions.

812.2 SEIZING COMPUTERS AND RELATED EVIDENCE
Computer equipment requires specialized training and handling to preserve its value as evidence. Officers should be aware of the potential to destroy information through careless or improper handling, and utilize the most knowledgeable available resources. When seizing a computer and accessories the following steps should be taken:

(a) Photograph each item, front and back, specifically including cable connections to other items. Look for a phone line or cable to a modem for Internet access.

(b) Do not overlook the possibility of the presence of physical evidence on and around the hardware relevant to the particular investigation such as fingerprints, biological or trace evidence, and/or documents.

(c) If the computer is off, do not turn it on.

(d) If the computer is on, do not shut it down normally and do not click on anything or examine any files.
   1. Photograph the screen, if possible, and note any programs or windows that appear to be open and running.
   2. Disconnect the power cable from the back of the computer box or if a portable notebook style, disconnect any power cable from the case and remove the battery).

(e) Label each item with case number, evidence sheet number, and item number.

(f) Handle and transport the computer and storage media (e.g., tape, discs, memory cards, flash memory, external drives) with care so that potential evidence is not lost.

(g) Lodge all computer items in the Property Room. Do not store computers where normal room temperature and humidity is not maintained.

(h) At minimum, officers should document the following in related reports:
   1. Where the computer was located and whether or not it was in operation.
   2. Who was using it at the time.
   3. Who claimed ownership.
Computers and Digital Evidence

4. If it can be determined, how it was being used.

   (i) In most cases when a computer is involved in criminal acts and is in the possession of
       the suspect, the computer itself and all storage devices (hard drives, tape drives, and
       disk drives) should be seized along with all media. Accessories (printers, monitors,
       mouse, scanner, keyboard, cables, software and manuals) should not be seized
       unless as a precursor to forfeiture.

812.2.1 BUSINESS OR NETWORKED COMPUTERS
If the computer belongs to a business or is part of a network, it may not be feasible to seize the
entire computer. Cases involving networks require specialized handling. Officers should contact a
certified forensic computer examiner for instructions or a response to the scene. It may be possible
to perform an on-site inspection, or to image the hard drive only of the involved computer. This
should only be done by someone specifically trained in processing computers for evidence.

812.2.2 FORENSIC EXAMINATION OF COMPUTERS
If an examination of the contents of the computer’s hard drive, or floppy disks, compact discs, or
any other storage media is required, forward the following items to a computer forensic examiner:

   (a) Copy of report(s) involving the computer, including the Evidence/Property sheet.

   (b) Copy of a consent to search form signed by the computer owner or the person in
       possession of the computer, or a copy of a search warrant authorizing the search of
       the computer hard drive for evidence relating to investigation.

   (c) A listing of the items to search for (e.g., photographs, financial records, e-mail,
       documents).

   (d) An exact duplicate of the hard drive or disk will be made using a forensic computer
       and a forensic software program by someone trained in the examination of computer
       storage devices for evidence.

812.3 SEIZING DIGITAL STORAGE MEDIA
Digital storage media including hard drives, floppy discs, CD’s, DVD’s, tapes, memory cards, or
flash memory devices should be seized and stored in a manner that will protect them from damage.

   (a) If the media has a write-protection tab or switch, it should be activated.

   (b) Do not review, access or open digital files prior to submission. If the information is
       needed for immediate investigation request the Support Services to copy the contents
       to an appropriate form of storage media.

   (c) Many kinds of storage media can be erased or damaged by magnetic fields. Keep
       all media away from magnetic devices, electric motors, radio transmitters or other
       sources of magnetic fields.
Computers and Digital Evidence

(d) Do not leave storage media where they would be subject to excessive heat such as in a parked vehicle on a hot day.
(e) Use plastic cases designed to protect the media, or other protective packaging, to prevent damage.

812.4 SEIZING PCDS
Personal communication devices such as cell phones, PDAs or other hand-held devices connected to any communication network must be handled with care to preserve evidence that may be on the device including messages, stored data and/or images.

(a) Officers should not attempt to access, review or search the contents of such devices prior to examination by a forensic expert. Unsent messages can be lost, data can be inadvertently deleted and incoming messages can override stored messages.
(b) Do not turn the device on or off. The device should be placed in a solid metal container such as a paint can or in a faraday bag, to prevent the device from sending or receiving information from its host network.
(c) When seizing the devices, also seize the charging units and keep them plugged in to the chargers until they can be examined. If the batteries go dead all the data may be lost.

812.5 DIGITAL EVIDENCE RECORDED BY OFFICERS
Officers handling and submitting recorded and digitally stored evidence from digital cameras and audio or video recorders will comply with these procedures to ensure the integrity and admissibility of such evidence.

812.5.1 COLLECTION OF DIGITAL EVIDENCE
Once evidence is recorded it shall not be erased, deleted or altered in any way prior to submission. All photographs taken will be preserved regardless of quality, composition or relevance. Video and audio files will not be altered in any way.

812.5.2 SUBMISSION OF DIGITAL MEDIA
The following are required procedures for the submission of digital media used by cameras or other recorders:

(a) The recording media (smart card, compact flash card or any other media) shall be brought to the Support Services as soon as possible for submission into evidence.
(b) Officers are not authorized to review or copy memory cards. The evidence technicians are the only employees authorized to copy and/or distribute digital media made from the memory cards.
(c) As soon as possible following the collection of evidence, the camera operator is to remove the memory card from their digital camera and place the card into a plastic
carrier. The card and carrier are then to be placed into a zip-lock type baggie. The camera operator shall write their name and the related case number on the outside of the baggie before placing in the film drop box along with the evidence form.

(d) Evidence technicians will make a copy of the memory card using appropriate storage media. Once they have verified that the images properly transferred to the storage media, the technicians will erase the memory card for re-use. The storage media will be marked as the original.

(e) Officers requiring a copy of the digital files must request a copy on the evidence form when submitted to evidence.

812.5.3 DOWNLOADING OF DIGITAL FILES
Digital information such as video or audio files recorded on devices using internal memory must be downloaded to storage media. The following procedures are to be followed:

(a) Files should not be opened or reviewed prior to downloading and storage.

(b) Where possible, the device should be connected to a computer and the files accessed directly from the computer directory or downloaded to a folder on the host computer for copying to the storage media.

812.5.4 PRESERVATION OF DIGITAL EVIDENCE

(a) Only evidence technicians are authorized to copy original digital media that is held as evidence. The original digital media shall remain in evidence and shall remain unaltered.

(b) Digital images that are enhanced to provide a better quality photograph for identification and investigative purposes must only be made from a copy of the original media.

(c) If any enhancement is done to the copy of the original, it shall be noted in the corresponding incident report.
Visa Clearance Letters

813.1 PURPOSE AND SCOPE
This Policy establishes a policy and procedure regarding requests from individuals for a letter from the Police Department indicating that they have no criminal history with this agency.

813.2 POLICY
It is the policy of this Department that requests from individuals indicating that they have no criminal history with this agency will be honored, provided the specified fee, if any, is paid and the individual does not, in fact, have any type of criminal record with this Department.

813.3 PROCEDURES
(a) Whenever anyone requests a letter from this agency indicating they have no criminal history with our Department:

1. Appeals of the decision are through the Services Division Commander and then, if necessary, to the Captain and then Office of the Chief of Police.

2. All Visa clearance requests and letters will be forwarded to the Services Division Supervisor for retention per the City of Pleasant Hill Records Retention Schedule and/or Government Code.
Automated Boat System

814.1 PURPOSE AND SCOPE
This policy provides the procedure to be followed whenever a boat is reported as stolen, lost or found.

814.2 POLICY
It is the policy of this Department that all boats which are reported to this Department as being lost or stolen will be entered into the Automated Boat System.

It is also the policy of this Department that all boats which have been found will be checked through the Automated Boat System in an effort to determine whether or not they have been reported as lost or stolen by this, or some other agency.

814.3 PROCEDURE

(a) Prior to entering boats into the Automated Boat System (ABS), a computer check should be run to determine whether or not the property has already been reported as lost or stolen.

(b) If the computer check shows the property as stolen, then the reporting agency is notified and verification is requested to determine that the property is the same.

(c) If it is confirmed that the boat is lost or stolen, and is now in the possession of this Department, the property owner will be notified to respond and pick up the boat.

(d) When entering a lost or stolen boat into the ABS, the printout must be attached to the report.

(e) If another agency recovers a boat that was entered into the system by this Department, they should be requested to make a “recovery” entry in the ABS.
Automated Firearms System

815.1 PURPOSE AND SCOPE
This policy establishes a policy and procedure for the recording of firearms through the Department of Justice when they are lost, stolen, found, pawned, held as evidence, a crime gun, registered, under observation, retained for official use, or destroyed.

815.2 POLICY
It is the policy of this Department that all firearms coming to the attention of this Department under any of the circumstances listed above will be entered into the Department of Justice Automated Firearms system (AFS).

815.3 PROCEDURES
The specific instructions for entering firearms into the AFS are contained in the AFS Manual maintained in the Dispatch Center. Personnel are directed to that manual for the specific procedures to be followed when entering firearms into that system.
Automated Property System

816.1 PURPOSE AND SCOPE
This policy describes the Automated Property System (APS) through the Department of Justice and how it is utilized by this Department.

816.2 POLICY
It is the policy of this Department that all property which fits the criteria established by the Department of Justice that has been lost, stolen, found, recovered, pawned, taken as evidence, or is under observation, will be entered into the Automated Property System maintained by that agency.

It is also the policy of this Department that the Services Division will be responsible for all inquiries and entries into this system.

816.3 PROCEDURE

(a) All property which is to be, or already has been, entered into the APS through DOJ must have a serial number or other identifying number that is distinctive.

(b) Items may be entered into the system, or the system may have been queried, under several different categories that have been established by the Department of Justice.

(c) Any item of property which is found, recovered or turned over to this Department that has a serial number will be entered into the APS. If such entry determines that the item is lost or stolen, the agency which originally entered the item into the system will be requested to contact the owner and have them arrange for the return of the item through our Department.

(d) When this Department is advised that an item which we entered into the system has been found or recovered, Services Division personnel will notify the Investigations Division Commander or Sergeant. The Commander or designee will arrange for attempt to call the owner to advise them to contact the agency which has the item in their possession.

(e) Notification will be made by mail if telephone or personal contact by an officer is not possible or successful.
Cash Box

817.1 PURPOSE AND SCOPE
This policy establishes the procedures to be followed regarding the use, maintenance and auditing of the cash box kept in the Dispatch Center.

817.2 PROCEDURES

(a) Three Hundred Dollars ($300.00) will be kept in a cash box in the Dispatch Center. Dispatchers, at the beginning of their shift, will audit the cash box and then enter their name and the amount of money in the cash box into the log book kept in the drawer in the Dispatch Center.

(b) The Day Shift Dispatcher is responsible for ensuring that sufficient small bills and coins are in the cash box to make change, and to request an employee to get change as needed.
Report Distribution

818.1 PURPOSE AND SCOPE
This policy provides instructions and information on the proper distribution of reports written by employees to ensure that they reach their proper destination or filing location.

818.2 POLICY
It is the policy of this Department that all reports will be reviewed by the Records Supervisor or designee in accordance with the below guidelines. An employee may be assigned to the “Report Review” position.

818.3 PROCEDURE
(a) The Records Supervisor or designee will review all cases processed by clerks. This should be done daily and review for the following:
   1. Typographical errors.
   2. Accuracy and to ensure that all forms and copies are included.

(b) Distribute copies as necessary including:
   1. Forward to Investigations Division.
   2. Distribute the copies of the report, if any, to the proper location by placing them in the file box in the designated tray.
   3. Audit trails must be completed.

(c) Printed reports, after review by the Services Supervisor or Report Review clerk, will be:
   1. Placed in the correction/hold box for the officer to correct if errors are found. The officer’s Division Commander will be contacted.
   2. Placed in the proper tray to be filed if approved and no further action is necessary.

(d) A copy of all accident reports which involved an on-duty employee will be forwarded to the employee’s Division Commander. A copy of the accident report will not be sent to CHP until the Division Commander has authorized the release of the report.

818.4 PRIORITY OF REPORTS
It is the policy of this Department that the Services Division will be responsible for the timely and accurate processing of all reports which are generated by Department personnel.

In order for this Department policy to be accomplished in the most efficient manner, it is the policy of this Division that reports will be typed, copied and distributed in order of priority based upon the following procedural basis.
818.4.1 PROCEDURES

(a) Reports will be typed, copied and distributed according to the following schedule:

1. In-custody arrests.
3. Felonies.
4. Coroner cases.
5. Fatal accident reports.
6. Supplements of the above reports.
7. Per supervisory direction.

(b) Supporting documents or material must be stapled to the inside of the case folder on the left-hand side, such as:

1. Driver’s license or photocopies of DL’s.
2. DMV printouts.
3. Warrant abstracts and updates.
5. Any other item submitted by the officer which is not a written statement by the officer, another employee or the victim(s), witness(es), or suspect(s).
Merchant Cards

819.1 PURPOSE AND SCOPE
This policy establishes a policy and procedure for obtaining and retaining telephone numbers and other information regarding owners or employees of businesses in Pleasant Hill so that they may be contacted during non-business hours in the event of an emergency.

819.2 POLICY
It is the policy of this Department that the names, addresses and telephone number for one or more owner/employee of every business within the City limits of Pleasant Hill will be obtained, and periodically updated, so that a responsible party may be contacted on a 24-hour basis in the event of an emergency involving that business. This information will be available to Department personnel only and will not be given out to the public.

819.3 PROCEDURES
(a) Employees will use the Pleasant Hill Police Department Merchant Card (Form 031) to obtain the information listed below from all businesses located within the City limits. This information will be updated periodically through personal contact with the owner/manager. All Merchant Cards will be entered into the RMS Alpha Screen using a Miscellaneous ("M") number as the control number.
(b) These Merchant Cards shall be updated:
As any member of the Department becomes aware of a change of ownership/management of any business within the City. As any member of the Department becomes aware of a new business opening within the City.
Community Message Notification (NIXLE)

820.1 PURPOSE AND SCOPE
PURPOSE AND SCOPE:
The Department seeks to enhance public safety and build community partnerships through the timely dissemination of information. Nixle is a networking site in which interested community members can obtain information from the Department. This may allow community members to protect themselves or provide information to the Department to allow for the apprehension of suspects or otherwise resolve incidents. This policy specifies the manner in which Nixle broadcasts will be distributed.

820.1.1 PROCEDURES
PROCEDURES:
1. Services Division personnel will primarily handle Nixle broadcasts. Services Division personnel will distribute Nixle broadcasts on the types of incidents specified in (3) below and per the direction of the Watch Commander.
2. Upon distribution of a Nixle broadcast, the Services Division employee will note in the internal portion of the CAD event, a Nixle broadcast occurred and the ID number of the broadcasting employee will be noted. The Services Division employee who is serving as a dispatcher at the time of the call will be responsible for handling the Nixle broadcast. A copy of the Nixle broadcast will be forwarded to the case file.
3. Nixle broadcasts will be done on the following types of cases when there is sufficient information for a BOLO. If a Watch Commander requests a BOLO, the Services employee will also distribute a Nixle BOLO.

Note: Sufficient information includes a full vehicle license plate, partial license plate, other distinctive information (excluding missing person cases).

459 PC
487 PC
211 PC
261 PC
187 PC
245 PC
273.5 PC
243 and 243 (e) 1 PC
417 PC
273.6 PC
Community Message Notification (NIXLE)

Missing persons

Suspected DUI or reckless drivers

4. Other types of Nixle broadcasts will otherwise be implemented at the direction of a Watch Commander.

5. Officers and investigators will not issue Nixle broadcasts without the permission of a Watch Commander.

6. The following types of information will not be entered into Nixle broadcasts without the express authorization of a supervisor:

Names of victims or suspects in crimes (for missing persons, see (7) below).

Information which indicates a person is 5150 WI

Any DMV information including registered owner information (for license plate numbers see (7) below)

Any criminal history or CII information

Address location of residences (instead use generic information, e.g., 100 block of Doray Dr instead of 102 Doray Dr.)

7. The following information should appear in Nixle broadcasts unless directed by a supervisor:

First names of missing adults or juveniles

Business names and addresses are permissible, e.g., Donut King or 1600 Contra Costa Blvd

Vehicle descriptions including license plate numbers

The contact telephone number for criminal violations is 925 680 7000

The contact telephone number for non criminal violations, e.g, road closures, missing persons not at risk is 925 288 4600.

820.1.2 OTHER

1. Services Division employees are required to maintain a Nixle account.

2. Access to the Nixle database of subscribers is restricted to the Chief of Police, Captain, Division Commanders and designees.
Pharmaceutical Collection Policy

821.1 PURPOSE AND SCOPE
The Pleasant Hill Police Department, per an agreement with the Central Contra Costa Sanitary District, will maintain a pharmaceutical collection bin in the lobby or public area of the Police Department. The pharmaceutical collection program is maintained in the interest of public health and welfare.

821.2 COLLECTION
1. A collection bin is located in the lobby of the Police Department for the public to dispose of unwanted prescription medication or pharmaceuticals.

2. Department staff will advise interested parties of the availability of the collection bin and following terms of use:

   Use of the collection bin is available to any member of the public and is not limited to Pleasant Hill residents.

   The collection bin is intended for persons disposing of unwanted medications from their home as opposed to disposal from care facilities or businesses.

   Illicit substances will not be placed into the bin.

   Medicinal marijuana will not be placed into the bin.

3. Department staff do not need to witness the disposals or document the disposals in the bin.

   (Also see below PROCEDURES regarding Property/Evidence CSO duties).

821.3 PROCEDURES
1. The manager of the pharmaceutical collection program is the Support Services Division Commander.

2. The Support Services Division Commander will maintain the control of the keys to the bin.

3. The Community Service Officer (CSO) assigned to the Property and Evidence function will empty and inventory the bin, at least weekly. The CSO will place the contents into the property room pending disposal of the pharmaceuticals. A case number/report will be drawn by the CSO and the contents will be bar coded in the property system. The contents will be listed as one item, e.g., "unwanted pharmaceuticals".

4. Disposal of the unwanted pharmaceuticals will occur per agreement with the vendor provided by the Central Contra Costa Sanitary District. The CSO will witness the destruction per United States Drug Enforcement Administration requirements.

5. The pharmaceutical collection program will be managed per the provisions outlined by the agreement between Department and the Central Contra Costa Sanitary District; the permit
Pharmaceutical Collection Policy

guidelines of the Drug Enforcement Administration; and the permit guidelines of Contra Costa County Environmental Health Services.
Chapter 9 - Custody
Temporary Holding Facility-Policy and Procedures Manual

900.1 PURPOSE AND SCOPE
The purpose of this policy is to establish guidelines and procedures for the booking, housing, security and release of prisoners at the Pleasant Hill Police Department's Temporary Holding Facility.

The Department shall maintain the custody of prisoners in accordance with this policy and in accordance with applicable law.

900.1.1 SUPERVISION OF PRISONERS
No prisoner will be held in the Temporary Holding Facility unless there is a designated employee who remains within the police building who can supervise the Temporary Holding Facility and respond to emergencies. This person will be designated by the Temporary Holding Facility supervisor and must not leave the police building while prisoners are in custody. This person will not have other duties that could conflict with the supervision of prisoners. Whenever one or more female inmates is in custody, there shall be at least one female employee, who shall be immediately available and accessible to such females (15 CCR § 1027).

Custodial personnel who are responsible for supervising prisoners in the Pleasant Hill Police Department Temporary Holding Facility shall complete eight hours of specialized training (15 CCR § 1024). Such training shall include, but not be limited to, the following:

(a) Applicable minimum jail standards
(b) Jail operations liability
(c) Inmate segregation
(d) Emergency procedures and planning
(e) Suicide prevention

Such training shall be completed as soon as practicable, but in any event not more than six months after the date of assigned responsibility. Eight hours of refresher training shall be completed once every two years (15 CCR § 1024). A record of such training shall be maintained in the employee's training file.

900.1.2 DETENTION OF PRISONERS IN THE TEMPORARY HOLDING FACILITY
It is the policy of the Pleasant Hill Police Department that prisoners detained in the Temporary Holding Facility shall be released or transported to another facility, per the provisions of this manual, as soon as possible and practical.
900.1.3 NON-DETAINABLE PRISONERS
Non-detainable prisoners are arrestees who fall within the following classifications should not be detained in the Temporary Holding Facility. Each person falling into one of the following categories should be transported to the County Jail, the designated medical facility or County Mental Health facility:

(a) Any person who is sick or injured requiring medical attention.
(b) Any person with a medical condition, including pregnant females who may require medical attention, supervision or medication during confinement.
(c) Any person who has claimed, or is known to be afflicted with, or displays symptoms of any communicable disease.
(d) Any person suffering from a severe mental disorder. Refer to Policy Manual § 418, which is incorporated as a part of this manual.
(e) Any combative or unruly person who may most likely cause damage to the facility or severely disrupt the good order of the Temporary Holding Facility.
(f) A prisoner who is or may be contemplating suicide.
(g) Any person suspected of being under the influence of a hallucinogen, hyperglycemic agent, psychotropic medication, narcotics, sedatives, tranquilizers, anti-neoplastic (cancer) drugs, research medication or any person suffering from withdrawals of the above.
(h) Any person diagnosed as developmentally disabled.
(i) Any person who is acutely intoxicated. Persons requiring a sobriety cell or sobering cell will be transported to Detox or County Jail.
(j) Any person exhibiting withdrawal reactions from drug or alcohol dependency.
(k) Any person charged with Penal Code sections 647(f) or 647(g) beyond the time necessary for booking, investigation of a concurrent crime, release, or transport to another facility.
(l) No person will be detained in the THF for more than 12 hours without the approval of a Division Commander. No one will be detained more than 24 hours.

900.1.4 DETAINABLE PRISONERS
Arrestees who fall within the following classifications may be detained in the Pleasant Hill Police Department Temporary Holding Facility with the approval of the Watch Commander. This includes those arrested and detained pending:

(a) Posting of bail
(b) Release on Own Recognizance (O.R.)
(c) Release on citation in accordance with the Cite and Release Policy in this manual
(d) Transportation to the County Jail
(e) Release per Penal Code § 849(b)
(f) In-custody interview or other investigation

900.1.5 COURT HOLDING - TEMPORARY HOLDING FACILITY PRISONERS
The THF will not be used to temporarily house prisoners pending court appearances.

900.1.6 USE OF SOBERING CELL
Any person arrested for violation of Penal Code § 647(f), public intoxication; or Vehicle Code §§ 23152 or 23153, driving while intoxicated, held in the Temporary Holding Facility over six hours must be evaluated by a supervisor.

The Pleasant Hill Police Department does not use the cells in the THF as "sobering cells (§ 1056 CCR)".

900.1.7 TRANSPORTATION OF PRISONERS
Generally and when circumstances permit, prisoners of the opposite sex, or adult and juvenile prisoners, should not be transported in the same vehicle unless they are physically separated by a solid barrier. If segregating prisoners is not practicable, officers should be alert to inappropriate physical or verbal contact between them and take appropriate action as necessary.

Whenever a prisoner is to be transported from the Temporary Holding Facility to another facility by a member of this department the transporting officer shall be responsible for the following:

(a) Verify that the identity of each prisoner to be transported matches the booking paperwork.

(b) Ensure that all pertinent documentation accompanies the prisoner, such as copies of booking forms, medical records when appropriate, an itemized list of the prisoner's property, warrant copies, etc.

(c) Ensure that any known threat or danger the prisoner may pose, such as escape risk, suicide potential, or medical condition, is recorded on the prisoner's booking documentation and is transported with the prisoner to the next facility. The transporting officer shall ensure such threat or danger is communicated to intake personnel at the facility.

900.1.8 PRISONER WITH ORTHOPEDIC OR PROSTHETIC APPLIANCE
Subject to safety and security concerns, persons who are detained in the Temporary Holding Facility shall be permitted to retain possession of an orthopedic or prosthetic appliance if it is prescribed or recommended and fitted by a physician. However, if the appliance presents a risk of bodily harm to any person or is a risk to the security of the facility, the appliance shall be removed from the prisoner and booked for safekeeping but shall be promptly returned if it is later determined that such risk no longer exists (Penal Code § 2656 (a) and (b)).
Whenever a prosthetic or orthopedic appliance is removed from a prisoner the Watch Commander shall be promptly apprised of the reason for the removal. If it is determined that the appliance will not be returned, the prisoner shall be examined as soon as practicable by a physician but no later than 24 hours of removal to determine if the removal will be injurious to the health or safety of the prisoner (Penal Code § 2656 (b)).

If the examining physician determines that removal is or will be injurious to the health or safety of the prisoner and the appliance cannot be returned because of safety or security concerns the prisoner should be transferred to an appropriate medical detention facility or, in lieu of transfer, shall be provided with an opportunity to petition the Superior Court for the return of the appliance in accordance with Penal Code § 2656(b) and (c).

**900.2 DEPARTMENT ORGANIZATION AND RESPONSIBILITY**

The following responsibilities for the Temporary Holding Facility operations have been established:

(a) Facility Administrator: The Chief of Police shall be the facility administrator officially charged, by law, with the administration of the Temporary Holding Facility.

(b) Temporary Holding Facility Manager: The Operations Division Commander will have the responsibility for planning, managing, administrative functions, and review of the operations of the Temporary Holding Facility.

(c) Maintenance Manager: The Support Services Division Commander will be responsible for the physical maintenance, cleanliness and supply of the Temporary Holding Facility.

(d) Temporary Holding Facility Supervisor: The employee with 24 hour per a day functional responsibility for the Temporary Holding Facility will be the Watch Commander - Any other supervisor may provide assistance as needed.

(e) Custodial Personnel: Custodial personnel shall be those on-duty sergeants, corporals, officers, detectives or other designated employees whose additional duties include the supervision of prisoners that are detained in the Temporary Holding Facility.

**900.2.1 STAFFING PLAN**

The Facility Administrator shall prepare and retain a staffing plan which will indicate assigned personnel and their duties (see 900.2 above). This policy (900 Temporary Holding Facility Policy and Procedures Manual) shall be available for biennial review by the Corrections Standards Authority (CSA) staff. The review and recommendations of the CSA biennial review shall be forwarded to the Chief of Police, as required by 15 CCR § 1027.

**900.3 PRISONER SUPERVISION AND CLASSIFICATION**
900.3.1 SUPERVISION OF PRISONERS
All prisoners, with the exception of intoxicated prisoners, should be visually checked no less than once every hour. Intoxicated persons should be checked at least once every half-hour. This check will be conducted through direct visual observation without the aid of surveillance cameras.

Officers should attempt to stay with inmates and provide constant direct supervision in the THF except for incidental absences to obtain paperwork.

900.3.2 LOG ENTRIES AND SECURITY CHECKS
   (a) All adult bookings should be logged into the Temporary Holding Facility Log. The following entries are to be completed by the booking officer and personnel responsible for maintaining prisoners in the facility:

   1. Case number
   2. Date/time of booking noted on CAD and/or arrest sheet
   3. Charges
   4. Arrestee’s name
   5. Arresting officer’s name
   6. Date and time of release noted on CAD and/or arrest sheet
   7. Security checks and times by arresting officer (or other employee) on arrest sheet or in CAD

   (b) The log will be kept in the Dispatch Center. It is the responsibility of the Facility Supervisor (Watch Commander) to ensure that all appropriate entries are made.

   (c) The Watch Commander should make periodic checks to ensure the log and security checks are made on time.

   (d) The Facility Manager should review all Temporary Holding Facility Logs and shall report to the Facility Administrator as required.

   (e) All logs and reports should be maintained in the Support Services Division for inspection by the Facility Manager, Facility Administrator or other officials as may be required.

900.3.3 PRISONER CLASSIFICATION, SCREENING AND SEGREGATION
It is the policy of the Pleasant Hill Police Department Temporary Holding Facility to segregate prisoners in compliance with the requirements noted in Title 15 of the California Code of Regulations.

   (a) Except in situations where there are more inmates than cells available, inmates shall be housed one (1) to a cell.

   (b) In any case, male and female inmates will be segregated.
(c) In any case, adult and juvenile inmates will be segregated.

(d) In any case, inmates suspected to have a communicable disease will be segregated. (However, persons with a communicable disease will not be retained at the THF).

(e) In any case, inmates displaying combative behavior will be segregated. (However, persons displaying combative behavior will not be retained at the THF).

(f) All rival gang members will be segregated.

(g) Personnel will also consider the following factors regarding segregation of inmates: criminal sophistication and the seriousness of the crime charged.

(h) The cells #1, #2, #3, #4, #6 and #7 may be used to hold inmates.

1. Interview rooms #6 and #7 are designed to be used for inmate interviews and should not be used as long-term holding cells, except under conditions listed in this policy, when necessary to segregate inmates.

900.3.4 TEMPORARY DETENTION OF JUVENILES
Juveniles who are detained by this department will be processed and handled in accordance with the Temporary Custody of Juveniles policy (Policy 324).

900.3.5 TEMPORARY DETENTION OF FEMALES
Whenever one or more female prisoners are in custody, there shall be at least one female employee who shall be available and accessible to the female prisoner(s). Male employees are not to search or enter the cell of a female prisoner, unless another female employee is present. (Title 15, California Code of Regulations § 1027, Penal Code § 4021)

In the event there is not a female employee readily available to conduct searches and hourly safety inspections, the female prisoner shall be transported to the county jail, or released pursuant to another lawful process (e.g., citation, O.R. release, etc.).

900.3.6 HANDCUFFING OF PREGNANT ARRESTEES
No arrestee who is in labor shall be handcuffed or restrained by the wrists, ankles or both unless it is reasonably necessary for the safety of the arrestee, officers or others (Cal. Penal Code § 6030).

900.3.7 REPORTING PHYSICAL HARM OR SERIOUS THREAT OF PHYSICAL HARM
Any Temporary Holding Facility incident that results in physical harm or serious threat of physical harm to an employee, inmate or other person shall be documented per the Use of Force Policy, On-Duty Injuries Policy or other applicable reporting process. A copy of all reports generated regarding the above circumstances shall be submitted to the Facility Manager within 24 hours of the incident. The Facility Manager will retain a record of these reports for inspection purposes (15 CCR § 1044).
900.4 TEMPORARY HOLDING FACILITY SEARCHES
Immediately upon securing weapons, officers bringing prisoners into the Temporary Holding Facility shall thoroughly search their prisoners. All arrestees brought into the Temporary Holding Facility must be searched by an officer or other authorized employee of the same gender whenever possible before the officer relinquishes control. When a prisoner has been handcuffed, the prisoner should remain handcuffed until the search is substantially completed.

In the case of female prisoners, all searches will be conducted by a female officer or designated female employee whenever possible, and male employees shall remain outside the closed door, but available to assist immediately if needed. Should a female prisoner become combative, an officer may be assigned to restrain her until the appropriate search is completed.

Arrestee search procedures and policies are found in Policy Manual § 902.

900.5 FIRE SAFETY
The person, designated by the facility supervisor as having responsibility for the Temporary Holding Facility should, at the beginning and end of each shift, inspect the Temporary Holding Facility to ensure:

(a) No flammable materials are stored in the detention area
(b) Fire extinguishers are serviceable
(c) Cell keys are available in the Watch Commander’s office and Dispatch for emergency use
(d) First aid kits are readily available and completely stocked
(e) Smoke detectors are operational

The Facility Supervisor or his/her designee shall inspect the facility on a monthly basis. The results of the monthly inspection shall be documented in writing. The inspection record shall be retained for two years (Title 15, California Code of Regulations § 1032).

900.5.1 FIRE PROCEDURES

(a) In the event of a fire in the detention area the discovering employee should immediately:

1. Notify the Fire Department, Watch Commander and on-duty patrol personnel simultaneously through Dispatch
2. Initiate movement of all prisoners to an area of safety through the utilization of the evacuation plan.
3. Begin fire suppression procedures as applicable.

(b) Responding patrol officers under the direction of the Temporary Holding Facility Supervisor should be responsible for:
1. The evacuation of prisoners.
2. Obtaining medical services as needed.
4. Arranging transportation of prisoners to the County Jail or other Temporary Holding Facility as necessary.
5. Initiating an investigation concerning the origin of the fire along with filing necessary reports.

(c) The Facility Manager, in coordination with the Fire Department and qualified first aid/CPR instructional personnel, shall oversee the training of all department personnel and ensure that they are familiar with:

1. The Temporary Holding Facility policy and procedures; and
2. Fire safety and evacuation plan including the use of the fire extinguisher.

(d) The Fire Marshal should make annual inspections of the Temporary Holding Facility.

900.6 EVACUATION OF TEMPORARY HOLDING FACILITY
If an evacuation of the Temporary Holding Facility becomes necessary, the following should be considered:

900.6.1 PRIMARY CONCERNS
(a) Safety of public
(b) Safety of department personnel
(c) Safety of prisoners
(d) Security of prisoners

900.6.2 NOTIFICATION
(a) Watch Commander
(b) All available sworn personnel
(c) Fire Department
(d) Medical aid
(e) Facility Manager
(f) Facility Administrator
900.6.3 EMERGENCY EVACUATION
When time permits, all prisoners will be restrained, as deemed necessary by the officer conducting the evacuation. The evacuation will be conducted in an orderly fashion by one of the routes posted in the Temporary Holding Facility.

900.6.4 EVACUATION FORMATION AREA
All prisoners will form in the designated location where they will be held until the Temporary Holding Facility can again be safely occupied, or as in the case of an emergency of a long duration until they can be transported to another facility.

If possible, juveniles are to be kept separate from adult prisoners, and females from male prisoners.

Only after the safety and security of the prisoners is assured will personnel, not detailed to prisoner security, participate in fire suppression or other emergency activities.

900.6.5 CITYWIDE OR REGIONAL DISASTERS
In cases of Citywide or regional disasters, the Watch Commander may authorize the release of prisoners detained for misdemeanors or felonies involving property crimes only. Every available effort will be made to continue the custody of violent felons or felons accused of violent crimes to ensure the safety of the public.

900.6.6 FIRST-AID/PROFESSIONAL MEDICAL ATTENTION
As necessary, evacuating personnel will apply first-aid techniques to those prisoners injured as a result of the emergency or injured during the evacuation procedure until professional medical aid arrives to assist.

900.6.7 REPORTS
The Watch Commander will ensure that any emergency evacuation of the Temporary Holding Facility is documented and that copies of those reports be forwarded to the Temporary Holding Facility Manager and Temporary Holding Facility Administrator.

900.7 PRISONER TELEPHONE CALLS
Every prisoner, whether adult or juvenile, detained in the Temporary Holding Facility shall be entitled to at least three completed telephone calls immediately upon being booked and no later than three hours after arrest. If it is determined that the person is a custodial parent with responsibility for a minor child, the person shall be entitled to make two additional telephone calls for the purpose of arranging care for the minor child (Penal Code § 851.5).

There is no obligation for the officer to make a call on a prisoner's behalf - for example in the case of a person that is so intoxicated that he or she cannot make a call. An officer is not required to wake an intoxicated person three hours after booking so that they may complete a call.

There is also no limitation on the amount of time a prisoner's phone call must last. A prisoner should be given sufficient time on the phone to contact whomever he/she desires and to arrange
for necessary items because of his/her arrest. The phone calls are not intended to be lengthy conversations and the officer may use his or judgment in determining the duration of the calls.

900.7.1 TELEPHONE CALL PROCEDURES
The Department will pay the cost of local calls. Long distance calls must be paid by the prisoners using calling cards or by calling collect.

Calls between the prisoner and his/her attorney shall be deemed confidential and shall not be monitored, eavesdropped upon or recorded.

The provisions of Penal Code § 851.5 shall be posted in bold block type in a conspicuous place within the Temporary Holding Facility.

900.7.2 ON-GOING TELEPHONE ACCESS
Once a prisoner has completed telephone calls provided by Penal Code § 851.5 and it appears that the individual is not going to be released or transferred to another custodial facility, reasonable efforts should be made to provide the prisoner with access to a telephone, as practical. In providing further access to a telephone beyond that required by Penal Code § 851.5, legitimate law enforcement interests such as officer safety, effect on ongoing criminal investigations and logistics should be balanced against the prisoner's desire for further phone access.

900.8 HANDLING OF PRISONER'S PROPERTY
Officers shall take care in the handling of a prisoner's property to avoid discrepancies or losses.

Any personal property belonging to the prisoner but retained by the officer for safekeeping, shall be kept in a secure location until the prisoner is released or transferred. Smaller items such as a driver's license, pocketknife, wallet, prescription medications and other similar property, shall be placed in a property bag, and sealed. A list of the property, including detailed descriptions of prescription medications, shall be included on the booking form. Any property too large to be kept in the Temporary Holding Facility shall be booked into property for safekeeping. Prisoner property that is too large or will not otherwise be accepted by a receiving facility in the event of an inmate transfer should be booked for safekeeping.

Property belonging to the prisoner, but retained by the officer as evidence, shall be booked according to procedures. The prisoner shall be advised that such property will be kept as evidence and where demanded, the officer will issue the prisoner a receipt. Such receipt may be a copy of the property booking form, written out in the officer's handwriting or typed for his/her personal signature. It should include the description of the property (but not its value), the case number, date, time, officer's badge number and signature. Where a receipt is issued, it should be mentioned in the arrest report.

900.8.1 VERIFICATION OF PRISONER'S MONEY
All money belonging to the prisoner and should be counted in front of the prisoner. When possible, the prisoner should initial the dollar amount on the booking property form. Additionally, all money should be placed in a separate envelope and sealed. Negotiable checks or other instruments and
foreign currency should also be sealed in an envelope with the amount indicated, but not added to the cash total. Rings and other jewelry of apparent value or small enough to be easily lost should also be sealed in an envelope. All envelopes should clearly indicate the contents on the front. Should any money be withdrawn or added to the cash envelope, the officer making such change shall enter the amount below the original entry and initial it. The total amount of money in the envelope should always be computed and written on the outside of the envelope.

Officers retaining money, as evidence, should count the money in front of the arrestee and have another officer witness the counting. If possible, the arrestee will sign the booking form indicating the amount seized or the officer will provide the arrestee with a Field Property Receipt.

900.8.2 RELEASE OF PRISONER'S PROPERTY
Release of any prisoner's property to any person requires the recipient's signature on the appropriate form. Any request for release of property by a prisoner must be made in writing on the property form.

When a prisoner is released from custody, all property will be returned to him/her and he/she will be required to sign the property inventory form.

Any alleged shortage or discrepancy shall be brought to the attention of the Watch Commander who will undertake reasonable efforts to locate the property.

All prisoners will have their property inventoried on a property inventory form including prisoners released from the THF with a citation or per Penal Code section 849 (b) (1) PC.

900.9 TEMPORARY HOLDING FACILITY PROCEDURES

900.9.1 SECURITY
(a) At no time are firearms, deadly weapons, or any type of explosive device permitted within the confines of the Temporary Holding Facility. Weapons should be properly secured in the gun lockers outside the entrance to the Temporary Holding Facility. An exception may occur only during emergencies upon approval of the Facility Administrator, Facility Manager, or Watch Commander.

(b) Temporary Holding Facility doors are to be kept locked at all times except during routine cleaning when no prisoners are in custody or in the event of an evacuation.

(c) Cell doors are to be locked at all times when prisoners are detained in the facility.

(d) No personnel shall smoke at any time while in the detention area. No prisoner shall be allowed to smoke or possess smoking materials in that area.

(e) Restraint devices such as handcuffs, flex-cuffs, belly-chains and leg restraints will be used in accordance with existing department policy.

(f) Use of the leg restraint device or other restraints will only be used upon approval of the Watch Commander and in accordance with Policy Manual § 306. Inmates are
only placed in restraints to gain control of the inmate for transport to the county jail. Long term restraints are not to be used.

(g) All personnel shall comply with all department use of force directives, including Policy Manual § 300.

(h) Department personnel shall not engage in inmate disciplinary actions in the THF.

(i) The Facility Administrator will at least annually review, evaluate, and document internal and external security measures. Such documentation will be maintained in a file related to THF procedures and retained per statutory requirements.

(j) In the event of an escape from the THF, the Watch Commander shall be responsible for coordination of resources for a search and arrest of the escapee. Notification may be made to the public, if appropriate, depending upon the severity and type of offense for which the suspect had been arrested. All escapes will be reported to the Facility Manager and Facility Administrator. Escapes are subject to Department administrative review for compliance with this policy.

(k) In the event of a disturbance in the THF, sworn personnel will respond to the THF to quell the disturbance and restore order. The Watch Commander will be responsible for formulating a plan to handle the disturbance. Any force used to handle the disturbance will be used in accordance with the Department use of force policy and applicable law.

(l) In the event of hostage taking in the THF, personnel will follow the provisions of the Department policy on hostage and barricaded suspects, see policy manual 414.

(m) In the event of a civil disturbance, evacuation of the THF may be necessary. Personnel will follow evacuation procedures as outlined above.

900.9.2 RECEIPT OF PRISONERS
The arresting and or booking officer should:

(a) Make a thorough search of all prisoners booked into the Temporary Holding Facility. Female prisoners should be searched by female officers or other female staff whenever possible

(b) Inventory and record all property removed from the prisoner's person

(c) Secure property for safekeeping

(d) Remove all hazardous items from the prisoner's person

(e) Remove belts, shoes and jackets

(f) Fingerprint the arrestee with fingerprint and palm prints. (Arrestees who will be booked into the county jail do not need to be fingerprinted or photographed at PHPD provided the following criteria are met:
1. The arrestee possess satisfactory evidence of identification, e.g, CA driver’s license, US passport, etc.
2. Inked palm prints are not necessary for the investigation of the case
3. The Watch Commander has approved the booking into county jail without fingerprinting and photographing at PHPD.
4. Watch Commanders will consider the necessity of obtaining a taped interview with the suspect when deciding to allow for a booking at county jail in lieu of booking at PHPD; interviews will not occur in the rear seat of police cars or the sally port of the county jail in lieu of an interview at PHPD.
5. Arrestees arrested on arrest warrants, meeting the above criteria can be booked directly into the county jail if a copy of the arrest warrant is faxed to the county jail.
6. Arrestees who lack sufficient identification and arrestees who are not booked into the county jail will have a completed booking (fingerprints and photograph) occur at PHPD.

(g) Photograph the arrestee. (See above)
(h) All prisoners will be transported to the county jail, other facility, or released from the THF.
(i) Complete the Pleasant Hill Police Department booking form or County Intake Form.
(j) Before the booking procedure is completed, the arresting or booking officer will ensure the prisoner is entered into the Temporary Holding Facility Log. This procedure is to be completed regardless of the time the prisoner is to be held in the facility and shall include those prisoners whose admittance is for booking only.

900.9.3 PRISONER BEDDING
(a) Per the request of the arrestee, the booking officer may offer a blanket and to each person booked into the facility.
(b) Clean blankets should be stored in the Temporary Holding Facility storage room.
(c) Blankets are disposal and will be discarded after use.

900.9.4 PRISONER FOOD SERVICE
(a) The Watch Commander is responsible for providing meals to prisoners detained in excess of six hours.

900.9.5 ATTORNEYS AND BAIL BONDSMEN
(a) An attorney may visit the prisoner at the prisoner’s request or a relative of the prisoner (Penal Code § 825).
(b) Attorneys and bail bondsmen who need to interview a prisoner should do so inside the Temporary Holding Facility in the secure interview room.

(c) Both the attorney and the prisoner should be searched for weapons prior and after being admitted to the Temporary Holding Facility interview room.

(d) Attorneys must produce a current California Bar card as well as other matching appropriate identification.

(e) Interviews between attorneys and their clients shall not be monitored or recorded.

900.9.6 RELEASE OF PRISONERS

(a) The Temporary Holding Facility should be inspected for damage prior to the release or transportation of any prisoner.

(b) Any damages should be noted and, if necessary, an additional crime report completed. If additional charges are warranted they will be made. Photographic evidence should be obtained and documented to support additional charges.

(c) Prisoners may be asked to clean cells prior to release or transportation. If a prisoner refuses, he/she may not be compelled to clean up nor may his/her release be delayed to accomplish this.

(d) Prisoners shall be released in accordance with state law. The releasing officer will be responsible for the following:
   1. All proper reports and forms shall be completed prior to release.
   2. All bail moneys are accounted for.
   3. Bail bonds are attached to the necessary paperwork and forwarded to the Support Services Division.
   4. All property, not to include evidence, contraband, or dangerous weapons shall be returned to the prisoner.
   5. The appropriate Temporary Holding Facility Log and/or arrest sheet will be completed showing the date, time, and reason for release, as well as the releasing officer's name.
   7. The prisoner being released will be escorted from the Temporary Holding Facility and police facility by a department employee. At no time will a released prisoner be allowed in any secure area of the station without personal supervision by an employee.

900.9.7 FACILITY SANITATION AND MAINTENANCE

The Watch Commander should inspect the Temporary Holding Facility at the beginning and end of each shift to ensure that the detention area is clean and maintained to an acceptable level of
cleanliness. The Temporary Holding Facility shall be cleaned, as necessary, in order to provide a proper custodial and working environment. Any maintenance problems will be reported to the Support Services Division Commander.

If, in the Watch Commander's judgment it becomes necessary for an inmate to take a shower while in Department custody, the employee shower facilities shall be used under the supervision of an appropriate gender employee.

900.9.8 DEATH OF A PRISONER
In the event of a fatal injury or death of a prisoner while in custody of the Temporary Holding Facility, in addition to a standard criminal investigation, the Chief of Police or the authorized designee shall report in writing to the Attorney General within 10 days after the death, all facts in the possession of the department concerning the death.

A medical and operational review of every in-custody death shall be conducted. The review team shall include the following:

- Chief of Police or the authorized designee
- The health administrator
- The responsible physician and other health care and supervision staff who are relevant to the incident (15 CCR § 1046)

Additionally, in the event of a death of a prisoner in the THF, the Contra Costa County Law Enforcement Fatal Incident Protocol will be followed.

900.9.9 PRISONER DISCIPLINE
Prisoner discipline will not be administered in this facility. Any prisoner who repeatedly fails to follow directions or facility rules should be transported to the appropriate jail, mental health facility or hospital as soon as practicable. Such conduct should be documented and reported to the receiving facility (15 CCR § 1081).
Custodial Searches

901.1 PURPOSE AND SCOPE
This policy provides guidance regarding searches of individuals in custody. Such searches are necessary to eliminate the introduction of contraband, intoxicants or weapons into the Pleasant Hill Police Department facility. Such items can pose a serious risk to the safety and security of department members, individuals in custody, contractors and the public.

Nothing in this policy is intended to prohibit the otherwise lawful collection of evidence from an individual in custody.

901.1.1 DEFINITIONS
Definitions related to this policy include:

Custody search - An in-custody search of an individual and of his/her property, shoes and clothing, including pockets, cuffs and folds on the clothing, to remove all weapons, dangerous items and contraband.

Pat-Down Search - A search used by officers in the field to check an individual for weapons. It involves a thorough patting down of clothing to locate any weapons or dangerous items that could pose a danger to the officer, the prisoner, or other prisoners.

Physical body cavity search - A search that includes a visual inspection and may include a physical intrusion into a body cavity. Body cavity means the stomach or rectal cavity of an individual, and the vagina of a female person.

Strip search - A search that requires an individual to remove or rearrange some or all of his/her clothing to permit a visual inspection of the underclothing, breasts, buttocks, anus or outer genitalia. This includes monitoring an individual who is changing clothes, where his/her underclothing, buttocks, genitalia or female breasts are visible.

901.2 POLICY
All searches shall be conducted with concern for safety, dignity, courtesy, respect for privacy and hygiene, and in compliance with policy and law to protect the rights of those who are subject to any search.

Searches shall not be used for intimidation, harassment, punishment or retaliation.

901.3 FIELD AND TRANSPORTATION SEARCHES
An officer should conduct a custody search of an individual immediately after his/her arrest, when receiving an individual from the custody of another, and before transporting a person who is in custody in any department vehicle.

Whenever practicable, a custody search should be conducted by an officer of the same sex as the person being searched. If an officer of the same sex is not reasonably available, a witnessing officer should be present during the search.
Custodial Searches

901.4 SEARCHES AT POLICE FACILITIES
Custody searches shall be conducted on all individuals in custody, upon entry to the Pleasant Hill Police Department facilities. Except in exigent circumstances, the search should be conducted by a member of the same sex as the individual being searched. If a member of the same sex is not available, a witnessing member must be present during the search.

Custody searches should also be conducted any time an individual in custody enters or re-enters a secure area, or any time it is reasonably believed that a search is necessary to maintain the safety and security of the facility.

901.4.1 VERIFICATION OF MONEY
All money shall be counted in front of the individual from whom it was received. When possible, the individual shall initial the dollar amount on the inventory. Additionally, all money should be placed in a separate envelope and sealed. Negotiable checks or other instruments and foreign currency should also be sealed in an envelope with the amount indicated but not added to the cash total. All envelopes should clearly indicate the contents on the front. The department member sealing it should place his/her initials across the sealed flap. Should any money be withdrawn or added, the member making such change shall enter the amount below the original entry and initial it. The amount of money in the envelope should always be totaled and written on the outside of the envelope.

901.4.2 PROPERTY
Members shall take reasonable care in handling the property of an individual in custody to avoid discrepancies or losses. Property retained for safekeeping shall be kept in a secure location until the individual is released or transferred.

Some property may not be accepted by a facility or agency that is taking custody of an individual from this department, such as weapons or large items. These items should be retained for safekeeping in accordance with the Property and Evidence Policy.

All property shall be inventoried by objective description (this does not include an estimated value). The individual from whom it was taken shall be required to sign the completed inventory. If the individual's signature cannot be obtained, the inventory shall be witnessed by another department member. The inventory should include the case number, date, time, member's Pleasant Hill Police Department identification number and information regarding how and when the property may be released.

901.5 STRIP SEARCHES
No individual in temporary custody at any Pleasant Hill Police Department facility shall be subjected to a strip search unless there is reasonable suspicion based upon specific and articulable facts to believe the individual has a health condition requiring immediate medical attention or is concealing a weapon or contraband. Factors to be considered in determining reasonable suspicion include, but are not limited to:
Custodial Searches

(a) The detection of an object during a custody search that may be a weapon or contraband and cannot be safely retrieved without a strip search.

(b) Circumstances of a current arrest that specifically indicate the individual may be concealing a weapon or contraband.
   1. A felony arrest charge or being under the influence of a controlled substance should not suffice as reasonable suspicion absent other facts.

(c) Custody history (e.g., past possession of contraband while in custody, assaults on department members, escape attempts).

(d) The individual’s actions or demeanor.

(e) Criminal history (i.e., level of experience in a custody setting).

No transgender or intersex individual shall be searched or examined for the sole purpose of determining the individual’s genital status. If the individual’s genital status is unknown, it may be determined during conversations with the person, by reviewing medical records, or as a result of a broader medical examination conducted in private by a medical practitioner (28 CFR 115.115).

901.5.1 STRIP SEARCH PROCEDURES
Strip searches at Pleasant Hill Police Department facilities shall be conducted as follows (28 CFR 115.115; Penal Code § 4030):

(a) Written authorization from the Watch Commander shall be obtained prior to the strip search.

(b) All members involved with the strip search shall be of the same sex as the individual being searched, unless the search is conducted by a medical practitioner.

(c) All strip searches shall be conducted in a professional manner under sanitary conditions and in a secure area of privacy so that it cannot be observed by those not participating in the search. The search shall not be reproduced through a visual or sound recording.

(d) Whenever possible, a second member of the same sex should also be present during the search, for security and as a witness to the finding of evidence.

(e) Members conducting a strip search shall not touch the breasts, buttocks or genitalia of the individual being searched.

(f) The primary member conducting the search shall prepare a written report to include:
   1. The facts that led to the decision to perform a strip search.
   2. The reasons less intrusive methods of searching were not used or were insufficient.
   3. The written authorization for the search, obtained from the Watch Commander.
Custodial Searches

4. The name of the individual who was searched.
5. The name and sex of the members who conducted the search.
6. The name, sex and role of any person present during the search.
7. The time and date of the search.
8. The place at which the search was conducted.
9. A list of the items, if any, that were recovered.
10. The facts upon which the member based his/her belief that the individual was concealing a weapon or contraband.

(g) No member should view an individual's private underclothing, buttocks, genitalia or female breasts while that individual is showering, performing bodily functions or changing clothes, unless he/she otherwise qualifies for a strip search. However, if serious hygiene or health issues make it reasonably necessary to assist the individual with a shower or a change of clothes, a supervisor should be contacted to ensure reasonable steps are taken to obtain the individual's consent and/or otherwise protect his/her privacy and dignity.

(h) If the individual has been arrested for a misdemeanor or infraction offense, the written authorization from the Watch Commander shall include specific and articulable facts and circumstances upon which the reasonable suspicion determination for the search was made.

(i) A copy of the written authorization shall be retained and made available upon request to the individual or the individual's authorized representative. A record of the time, date, place of the search, the name and sex of the person conducting the search, and a statement of the results of the search shall also be retained and made available upon request to the individual or the individual’s authorized representative.

901.5.2 SPECIAL CIRCUMSTANCE FIELD STRIP SEARCHES
A strip search may be conducted in the field only with Watch Commander authorization and only in exceptional circumstances, such as when:

(a) There is probable cause to believe that the individual is concealing a weapon or other dangerous item that cannot be recovered by a more limited search.

(b) There is probable cause to believe that the individual is concealing controlled substances or evidence that cannot be recovered by a more limited search, and there is no reasonable alternative to ensure the individual cannot destroy or ingest the substance during transportation.

These special-circumstance field strip searches shall only be authorized and conducted under the same restrictions as the strip search procedures in this policy, except that the Watch Commander authorization does not need to be in writing.
Custodial Searches

901.6 TRAINING
The Professional Standards Sergeant shall ensure members have training that includes (28 CFR 115.115):

(a) Conducting searches of cross-gender individuals.
(b) Conducting searches of transgender and intersex individuals.
(c) Conducting searches in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs.

901.7 PHYSICAL BODY CAVITY SEARCH
Physical body cavity searches shall be subject to the following (Penal Code § 4030):

(a) No individual shall be subjected to a physical body cavity search without written approval of the Watch Commander and only upon a search warrant. A copy of any search warrant and the results of the physical body cavity search shall be included with the related reports and made available, upon request, to the individual or authorized representative (except for those portions of the warrant ordered sealed by a court).

(b) Only a physician, nurse practitioner, registered nurse, licensed vocational nurse or Emergency Medical Technician Level II licensed to practice in California may conduct a physical body cavity search.

(c) Except for the physician or licensed medical personnel conducting the search, persons present must be of the same sex as the individual being searched. Only the necessary department members needed to maintain the safety and security of the medical personnel shall be present.

(d) Privacy requirements, including restricted touching of body parts and sanitary condition requirements, are the same as required for a strip search.

(e) All such searches shall be documented, including:

1. The facts that led to the decision to perform a physical body cavity search of the individual.
2. The reasons less intrusive methods of searching were not used or were insufficient.
3. The Watch Commander’s approval.
4. A copy of the search warrant.
5. The time, date and location of the search.
6. The medical personnel present.
7. The names, sex and roles of any department members present.
8. Any contraband or weapons discovered by the search.
(f) Copies of the written authorization and search warrant shall be retained and shall be provided to the individual who was searched or other authorized representative upon request. A record of the time, date, place of the search, the name and sex of the person conducting the search and a statement of the results of the search shall also be retained and made available upon request to the individual or the individual's authorized representative.
Prisoner Property Inventory

902.1 PURPOSE AND SCOPE
This policy provides officers with prisoner property procedures. Also see §900.8.

902.2 POLICY
The purpose of this policy is to describe the procedure used for taking an arrestee's property and inventorying it.

902.3 PROCEDURE
(a) Inventory the prisoner's property and record the items, preferably in the prisoner's presence, using the CCCSO prisoner property form.

(b) Sign the form in the specified location and request the prisoner to sign the form. If he fails to do so, have another employee review the inventory and sign the form verifying its accuracy.

(c) Any property which is to be retained as evidence or safekeeping must be listed on the form, and the notation "Retained by PHPD as Evidence/For Safekeeping" placed next to the property description.

(d) If the prisoner is released from the station, he/she must sign the form in the specified location, indicating that all listed property has been returned. If the prisoner refuses to do so, another employee must witness the return and sign the form in the specified location.

(e) If the prisoner is booked at County Jail, all property must be sealed in a plastic bag and marked as required by the current detention facility procedures for the disposition of property.

(f) Distribution of the four copies of the form is as follows:
   1. The defendant copy is given to the prisoner at the time his property is taken and the form is completed.
   2. The PHPD copy is retained by the Pleasant Hill Police Department and is submitted with the arrest report.
   3. The jail copies are given to any criminal justice agency which may take custody of the prisoner and his property. If the prisoner is released from PHPD, the jail copies are left attached to the PHPD copy.
Acceptance of Bail

903.1 PURPOSE AND SCOPE
This policy establishes the Department policy and procedures for the acceptance and collection of bail which citizens may wish to post in order to secure their release from custody as a result of their arrest for an outstanding warrant(s).

903.2 POLICY
Bail may be accepted, at the Pleasant Hill Police Department under the following circumstances:

(a) Traffic warrants.
(b) Misdemeanor warrants, when a bail is specified.
(c) Felony warrants, when a bail is specified.
(d) Bail money may be accepted in the form of:
   1. Cash (U.S. currency only).
   2. Money orders made payable to the Pleasant Hill Police Department.
   3. Cashiers checks made payable to the Pleasant Hill Police Department.
   4. Bail bonds made payable to the court which issued the warrant.

903.3 PROCEDURES
Upon determining that the arrested person is eligible to be released under the provisions of the Penal Code:

(a) Collect the proper amount of bail.
(b) Make a photocopy of the warrant or the teletype abstract.
(c) Request the dispatcher to update the warrant status to show that bail has been posted.
(d) Complete a PHPD bail receipt.
(e) Give the defendant the original copy of the bail receipt.
(f) Place the bail money, PHPD bail receipts, the original warrant or teletype abstract and the warrant update in an envelope. Write the case number, defendant's name and the amount of money on the outside of the envelope, seal it and place it in the slot in the bail drawer.

903.4 BAIL RECEIPTS
(a) The Pleasant Hill Police Department bail receipt will be utilized for all monies received as bail.
Acceptance of Bail

(b) The "PHPD number" will reflect the case or event number; the "Arrest Number" will be obtained from the dispatcher and placed in the appropriate location (if the subject was arrested); and the date and time shall be reflected as to when the bail was received.

(c) Distribution of the Bail Receipt copies will be as follows:

1. Original (white copy) to the person posting bail.
2. Second and third copies (yellow and pink) will be placed in an envelope with the bail and associated documents.
3. Fourth copy (gold) will remain in the receipt book as an audit copy.

903.5 BAIL DRAWER
This policy will provide information on the location, use and control of the bail drawer.

903.5.1 POLICY
It is the policy of this Department that receipts will be given to anyone who posts bail, purchases a copy of a police report, or pays a fee for bicycle licensing or fingerprinting. Such receipts and the fees paid will be placed in the bail drawer.

903.5.2 PROCEDURES

(a) The bail drawer, located at the counter, will remain locked at all times. The only keys to the bail drawer will be maintained by the Office of the Chief of Police and the Support Services Supervisor.

(b) All monies coming into the Department through the collection of bail for fingerprinting services will be recorded either by a Bail Receipt or on a Cash Receipt, as appropriate. The Department copy of the receipt, together with the funds collected, will be placed through the slot in the bail drawer.

(c) The Support Services Supervisor or designee will count, audit and deposit all monies removed from the bail drawer Monday through Friday, during normal business hours.
Chapter 10 - Personnel
Recruitment and Selection

1000.1 PURPOSE AND SCOPE
The employment policy of the Pleasant Hill Police shall provide equal opportunities for applicants and its employees regardless of race, sexual orientation, age, pregnancy, religion, creed, color, national origin, ancestry, physical or mental handicap, marital status, veteran status, or sex, and shall not show partiality or grant any special favors to any applicant, employee or group of employees. The rules governing employment practices for this department are maintained by the City of Pleasant Hill Human Resources Department.

1000.2 APPLICANT QUALIFICATIONS
Candidates for job openings will be selected based on merit, ability, competence and experience.

All peace officer candidates must meet the minimum standards described in California Government Code § 1031 in addition to the employment standards established by this department.

1000.3 STANDARDS
Employment standards shall be established for each job classification and shall include minimally, the special training, abilities, knowledge and skills required to perform the duties of the job in a satisfactory manner. The Pleasant Hill Police Human Resources Department maintains standards for all positions.

The dilemma facing the Department is one of developing a job-valid and non-discriminatory set of policies which will allow it to lawfully exclude persons who do not meet the Pleasant Hill Police or State of California hiring standards. The California Commission on Peace Officer Standards and Training (POST) developed a Job Dimensions list, which are used as a professional standard in background investigations.

The following standards have been adopted for public safety applicants:

1000.3.1 OPERATION OF A MOTOR VEHICLE
(a) The ability to possess a valid California driver’s license
(b) The ability to drive safely
(c) The ability to control a motor vehicle at high speeds
(d) The ability to operate a motor vehicle in all types of weather conditions
(e) The following shall be disqualifying:
   1. Receipt of three or more moving violations (or any single violation of a potential life threatening violation, such as reckless driving, speed contest, suspect of a pursuit, etc.) within three years prior to application. Moving violations for which there is a factual finding of innocence shall not be included.
Recruitment and Selection

2. Involvement as a driver in two or more chargeable (at fault) collisions within three years prior to date of application.

3. A conviction for driving under the influence of alcohol and/or drugs within three years prior to application or any two convictions for driving under the influence of alcohol and/or drugs.

1000.3.2 INTEGRITY

(a) Refusing to yield to the temptation of bribes, gratuities, payoffs, etc.

(b) Refusing to tolerate unethical or illegal conduct on the part of other law enforcement personnel

(c) Showing strong moral character and integrity in dealing with the public

(d) Being honest in dealing with the public

(e) The following shall be disqualifying:

1. Any material misstatement of fact or significant admission during the application or background process shall be disqualifying, including inconsistent statements made during the initial background interview (Personal History Statement or Supplemental Questionnaire) or polygraph examination or discrepancies between this background investigation and other investigations conducted by other law enforcement agencies.

2. Any forgery, alteration, or intentional omission of material facts on an official employment application document or sustained episodes of academic cheating.

1000.3.3 CREDIBILITY AS A WITNESS IN A COURT OF LAW

(a) The ability to give testimony in a court of law without being subject to impeachment due to his/her honesty or veracity (or their opposites) or due to prior felony conviction.

(b) The following shall be disqualifying:

1. Conviction of any criminal offense classified as a misdemeanor under California law within three years prior to application

2. Conviction for two or more misdemeanor offenses under California law as an adult

3. Conviction of any offense classified as a misdemeanor under California law while employed as a peace officer (including military police officers)

4. Admission(s) of having committed any act amounting to a felony (including felony-misdemeanor offenses) under California law, as an adult, within five years prior to application or while employed as a peace officer (including military police officers)
Recruitment and Selection

5. Admission(s) of administrative conviction of any act while employed as a peace officer (including military police officers) involving lying, falsification of any official report or document, or theft

6. Admission(s) of any act of domestic violence as defined by law, committed as an adult

7. Admission(s) of any criminal act, whether misdemeanor or felony, committed against children including but not limited to: molesting or annoying children, child abduction, child abuse, lewd and lascivious acts with a child, or indecent exposure. Acts of consensual unlawful intercourse accomplished between two minors shall not be included, unless more than four years difference in age existed at the time of the acts

8. Any history of actions resulting in civil lawsuits against the applicant or his/her employer may be disqualifying

1000.3.4 DEPENDABILITY

(a) Having a record of submitting reports on time and not malingering on calls, etc.

(b) A record of being motivated to perform well

(c) A record of dependability and follow through on assignments

(d) A history of taking the extra effort required for complete accuracy in all details of work

(e) A willingness to work the hours needed to complete a job

(f) The following shall be disqualifying:

1. Missing any scheduled appointment during the process without prior permission

2. Having been disciplined by any employer (including military) as an adult for abuse of leave, gross insubordination, dereliction of duty, or persistent failure to follow established policies and regulations

3. Having been involuntarily dismissed (for any reason other than lay-off) from two or more employers as an adult

4. Having held more than seven paid positions with different employers within the past four years, or more than 15 paid positions with different employers in the past ten years (excluding military). Students who attend school away from their permanent legal residence may be excused from this requirement

5. Having undergone personal bankruptcy more than once, having current financial obligations for which legal judgments have not been satisfied, currently having wages garnished, or any other history of financial instability
6. Resigning from any paid position without notice shall be disqualifying, except where the presence of a hostile work environment is alleged.

7. Having any outstanding warrant of arrest at time of application.

1000.3.5 LEARNING ABILITY

(a) The ability to comprehend and retain information
(b) The ability to recall information pertaining to laws, statutes, codes, etc.
(c) The ability to learn and to apply what is learned
(d) The ability to learn and apply the material, tactics and procedures that are required of a law enforcement officer
(e) The following shall be disqualifying:
   1. Being under current academic dismissal from any college or university where such dismissal is still in effect and was initiated within the past two years prior to the date of application
   2. Having been academically dismissed from any POST certified basic law enforcement academy wherein no demonstrated effort has been made to improve in the deficient areas, except: subsequent successful completion of another POST basic law enforcement academy shall rescind this requirement

1000.3.6 PERSONAL SENSITIVITY

(a) The ability to resolve problems in a way that shows sensitivity for the feelings of others.
(b) Empathy
(c) Discretion, not enforcing the law blindly
(d) Effectiveness in dealing with people without arousing antagonism
(e) The ability to understand the motives of people and how they will react and interact
(f) The following shall be disqualifying:
   1. Having been disciplined by any employer (including the military and/or any law enforcement training facility) for acts constituting racial, ethnic or sexual harassment or discrimination
   2. Uttering any epithet derogatory of another person's race, religion, gender, national origin or sexual orientation
   3. Having been disciplined by any employer as an adult for fighting in the workplace

1000.3.7 JUDGMENT UNDER PRESSURE

(a) The ability to apply common sense during pressure situations
Recruitment and Selection

(b) The ability to make sound decisions on the spot

(c) The ability to use good judgment in dealing with potentially explosive situations

(d) The ability to make effective, logical decisions under pressure

(e) The following shall be disqualifying:

1. Admission(s) of administrative conviction or criminal convictions for any act amounting to assault under color of authority or any other violation of federal or state Civil Rights laws

2. Any admission(s) of administrative conviction or criminal conviction for failure to properly report witnessed criminal conduct committed by another law enforcement officer

1000.3.8 ILLEGAL USE OR POSSESSION OF DRUGS

(a) The following examples of illegal drug use or possession will be considered automatic disqualifiers for public safety applicants, with no exceptions:

1. Any adult use or possession of a drug classified as a hallucinogenic within seven years prior to application for employment

2. Any adult use or possession of marijuana within one year prior to application for employment

3. Any other illegal adult use or possession of a drug not mentioned above (including cocaine) within three years prior to application for employment

4. Any illegal adult use or possession of a drug while employed in any law enforcement capacity, military police, or as a student enrolled in college-accredited courses related to the criminal justice field

5. Any adult manufacture or cultivation of a drug or illegal substance

6. Failure to divulge to the Department any information about personal illegal use or possession of drugs

7. Any drug test of the applicant, during the course of the hiring process, where illegal drugs are detected

(b) The following examples of illegal drug use or possession will be considered in relationship to the overall background of that individual and may result in disqualification:

1. Any illegal use or possession of a drug as a juvenile

2. Any illegal adult use or possession of a drug that does not meet the criteria of the automatic disqualifiers specified above (e.g., marijuana use longer than one year ago or cocaine use longer than three years ago.)
Recruitment and Selection

3. Any illegal or unauthorized use of prescription medications
Evaluation of Employees

1001.1 PURPOSE AND SCOPE
The Department's employee performance evaluation system is designed to record work performance for both the Department and the employee, providing recognition for good work and developing a guide for improvement.

1001.2 POLICY
The Pleasant Hill Police Department utilizes a performance evaluation report to measure performance and to use as a factor in making personnel decisions that relate to merit increases, promotion, reassignment, discipline, demotion and termination. The evaluation report is intended to serve as a guide for work planning and review by the supervisor and employee. It gives supervisors a way to create an objective history of work performance based on job standards.

The Department evaluates employees in a non-discriminatory manner based upon job-related factors specific to the employee's position, without regard to sex, race, color, national origin, religion, age, disability or other protected classes.

1001.3 EVALUATION FREQUENCY
Employees are evaluated based on the following chart:

<table>
<thead>
<tr>
<th>Position</th>
<th>Evaluated Monthly</th>
<th>Evaluated Yearly</th>
<th>Length of Probation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Probationary Sworn Employees</td>
<td>X</td>
<td>X</td>
<td>18 months</td>
</tr>
<tr>
<td>Non-Probationary Sworn Employees</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Professional Staff Members</td>
<td>X</td>
<td>X</td>
<td>1 Year</td>
</tr>
<tr>
<td>Non-Probationary, Professional Staff Members</td>
<td></td>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>

All employees will receive an annual evaluation. The annual evaluation period will coincide with the calendar year. In addition, sworn personnel below the rank of Sergeant assigned to the Patrol Bureau, will receive end-of-trimester evaluations when moving from one sergeant to another, except for the last trimester of the calendar year. For the last trimester, Sergeants assigned to the Patrol Bureau will be responsible for completing the annual evaluations for the employees who are assigned to them during that final trimester. Four month or eight month evaluations in the Patrol Bureau are kept in the "progress file," separate from the personnel file.

Documents retained in progress files are retained per the City's Retention schedule. Sworn
employees finishing the Field Training Program at any time during the last trimester will not require an annual evaluation.

All employees assigned to Support Services Division will receive an annual evaluation for the period beginning and ending on the calendar year. Annual evaluations for all three Divisions are to be completed and submitted by the end of the second week in February.

1001.3.1 RESERVE OFFICER EVALUATIONS
Reserve officer evaluations are covered under Policy Manual § 350.

1001.4 FULL TIME PROBATIONARY PERSONNEL
Professional Staff Members are on probation for 12 months before being eligible for certification as permanent employees.

Sworn personnel are on probation for 18 months before being eligible for certification as permanent employees. Probationary officers are evaluated daily, weekly and monthly during the FTO Program. Sworn personnel, below the rank of sergeant, assigned to the Operations Division are evaluated every month.

Employees other than "at will" employees are probationary after promotion; see the City of Pleasant Hill Personnel Rules and Regulations for details.

1001.5 EVALUATION PROCESS

(a) The employee will complete the annual self evaluation and return it to the supervisor per the direction of the Division Commander.

(b) The supervisor will review the quarterly evaluations and other information in the employee's progress file to complete the ratings and comments on the annual evaluation instrument. Division Commanders may elect to review the quarterly evaluation and will review the annual evaluation prior to the supervisor meeting with the employee. The supervisor will meet with the employee to discuss the evaluation, employee goals, and to facilitate employee development.

(c) Employee performance evaluation reports will cover a specific period of time and should be based on documented performance during that period. Evaluation reports will be completed by each employee's immediate supervisor. Other supervisors directly familiar with the employee's performance during the rating period should be consulted by the immediate supervisor for their input, and these same supervisors may contribute written narrative. All sworn and Professional Staff supervisory personnel shall attend an approved supervisory course that includes training on the completion of performance evaluations within one year of the supervisory appointment. Each supervisor should discuss the tasks of the position, standards of performance expected and the evaluation criteria with each employee at the beginning of the rating period. Assessment of an employee's job performance is an ongoing process. Continued coaching and feedback provides supervisors and employees with opportunities to correct performance issues as they arise. Non-probationary employees demonstrating substandard performance shall be notified in writing of such
performance as soon as possible in order to have an opportunity to remediate the issues. Such notification should occur at the earliest opportunity. Employees who disagree with their evaluation and who desire to provide a formal response or a rebuttal may do so in writing in the prescribed format and time period.

(d) Quarterly evaluations do not require the employee self evaluation. The Support Services Division Commander may designate the Investigations Sergeant or Support Services Supervisor to complete the annual evaluation.

- Employees will be asked to sign the annual evaluation and the document will be forwarded to the employee's personnel file. Regarding the employee's signature and response, the provisions of 3306 GC will be followed.
- The Division Commander will enter comments on the annual evaluation form and forward the completed evaluation to the Police Captain.
- Meetings will occur with involved personnel as appropriate and necessary.

1001.6 EVALUATION DISTRIBUTION
The original performance evaluation shall be maintained in the employee's personnel file in the office of the Chief of Police; see Records Retention schedule.
Promotional and Transfer Policy

1002.1 PURPOSE AND SCOPE
The purpose of this policy is to establish required and desirable qualifications for promotion within the ranks of the Pleasant Hill Police Department.

1002.2 NON PROMOTIONAL ASSIGNMENTS
The following positions are considered assignments and are not considered promotions:

(a) Investigator
(b) Motor or Traffic Officer
(c) Field Training Officer
(d) School Resource Officer (SRO)
(e) Community Resource Officer (CRO)
(f) Canine handler
(g) Collateral duty assignments including CSI, Firearms Instructor, Taser Instructor, Arrest and Control Instructor, etc.

Also see the current Memorandum of Understanding between the Pleasant Hill Police Association and City of Pleasant Hill for a list of positions considered specialized assignments.

1002.3 REQUIREMENTS
All promotions, transfers, and testing for promotions and transfers will be made in accordance with the provisions of the MOU, City Personnel rules, and per the direction of the Chief of Police.

The following qualifications must be met by all candidates prior to consideration for appointment to a vacant position.

1002.3.1 CHIEF OF POLICE
Appointment of the Chief of Police will be made by the City Manager based upon the criteria he/she establishes. The criteria may include:

(a) Minimum of ten (10) years experience in general law enforcement.
(b) Completion of probation at a rank of at least Lieutenant with a California police agency.
(c) Possess a B.A. or B.S. degree from an accredited college or university.
(d) Possess a POST Management Certificate.

1002.3.2 CAPTAIN OF POLICE

(a) Minimum of seven (7) years experience in general law enforcement.
Promotional and Transfer Policy

(b) Minimum of one (1) year experience in a middle management position with a public law enforcement agency and completion of a probationary period.

(c) Possess a B.A. or B.S. degree from an accredited college or university.

(d) Possess or be eligible to possess a POST Management certificate at the time of permanent appointment.

1002.3.3 POLICE LIEUTENANT

(a) Minimum of six (6) years experience in general law enforcement.

(b) Completion of probationary status at the rank of Sergeant with the Pleasant Hill Police Department or probationary period with a California police agency.

(c) Possess a B.A. or B.S. degree from an accredited college or university.

(d) Possess or be eligible to possess a POST Advanced Certificate at the time of permanent appointment.

1002.3.4 POLICE SERGEANT

(a) Minimum of five (5) years experience in general law enforcement, three (3) years of which must be with the Pleasant Hill Police Department.

(b) Possess an A.A. degree, or its equivalent, from an accredited college.

(c) Possess or be eligible to possess a POST Intermediate Certificate at the time of permanent appointment.

These are the minimum acceptable qualifications for each of the above positions. Exceptions to these minimum qualifications may only be made by the Chief of Police or the City Manager.
Grievance Procedure

1003.1 PURPOSE AND SCOPE
It is the policy of this department that all grievances be handled quickly and fairly without discrimination against employees who file a grievance whether or not there is a basis for the grievance. Our Department’s philosophy is to promote a free verbal communication between employees and supervisors.

1003.1.1 GRIEVANCE DEFINED
A grievance is any difference of opinion concerning terms or conditions of employment or the dispute involving the interpretation or application of any of the following documents by the person(s) affected:

- The employee bargaining agreement (Memorandum of Understanding)
- This Policy Manual
- City rules and regulations covering personnel practices or working conditions

Grievances may be brought by an individual affected employee or by a group representative.

Specifically outside the category of grievance are complaints related to alleged acts of sexual, racial, ethnic or other forms of unlawful harassment, as well as complaints related to allegations of discrimination on the basis of sex, race, religion, ethnic background and other lawfully protected status or activity are subject to the complaint options set forth in the Discriminatory Harassment Policy, and personnel complaints consisting of any allegation of misconduct or improper job performance against any department employee that, if true, would constitute a violation of department policy, federal, state or local law set forth in the Personnel Complaint Policy.

1003.2 PROCEDURE
If an employee believes that he or she has a grievance as defined above, then that employee shall observe the following procedure:

(a) Attempt to resolve the issue through the immediate supervisor

(b) If the grievance cannot be settled by the immediate supervisor, the employee may initiate a grievance per the provisions of the employee's MOU and the City of Pleasant Hill Personnel Rules and Regulations.

1003.3 EMPLOYEE REPRESENTATION
Employees are entitled to have representation during the grievance process. The representative may be selected by the employee from the appropriate employee bargaining group.

1003.4 GRIEVANCE RECORDS
At the conclusion of the grievance process, all documents pertaining to the process shall be forwarded to the Chief of Police for inclusion into a secure file for all written grievances.
Grievance Procedure

copies will be retained as necessary or required per the provisions of the City Personnel Rules and Regulations. )
Reporting of Employee Convictions

1004.1 PURPOSE AND SCOPE

Convictions of certain offenses may restrict or prohibit an employee’s ability to properly perform official duties. Therefore, all employees shall be required to promptly notify the Department of any past and current criminal convictions.

The Professional Standards Sergeant shall submit in a timely manner a notice to the Commission on Peace Officer Standards and Training (POST) of any appointment, termination, reinstatement, name change or status change regarding any peace officer, reserve peace officer, public safety dispatcher and records supervisor employed by this department (11 CCR § 9040).

The Professional Standards Sergeant shall submit in a timely manner a notice to POST of a felony conviction or Government Code § 1029 reason that disqualifies any current peace officer employed by this department or any former peace officer if this department was responsible for the investigation (11 CCR § 9041).

1004.2 DOMESTIC VIOLENCE CONVICTIONS AND RESTRAINING ORDERS

California and federal law prohibit individuals convicted of certain offenses and individuals subject to certain court orders from lawfully possessing a firearm. Such convictions and court orders often involve allegations of the use or attempted use of force or threatened use of a weapon on any individual in a domestic relationship (e.g., spouse, cohabitant, parent, child) (18 USC § 922; Penal Code § 29805).

All members are responsible for ensuring that they have not been disqualified from possessing a firearm by any such conviction or court order and shall promptly report any such conviction or court order to a supervisor, as provided in this policy.

1004.3 OTHER CRIMINAL CONVICTIONS

Government Code § 1029 prohibits any person convicted of a felony from being a peace officer in the State of California. This prohibition applies regardless of whether the guilt was established by way of a verdict, guilty or nolo contendre plea.

Convictions of certain violations of the Vehicle Code and other provisions of law may also place restrictions on an employee’s ability to fully perform the duties of the job.

Moreover, while legal restrictions may or may not be imposed by statute or by the courts upon conviction of any criminal offense, criminal conduct by members of this department may be inherently in conflict with law enforcement duties and the public trust.

1004.4 REPORTING PROCEDURE

All members of this department and all retired officers with an identification card issued by the Department shall promptly notify their immediate supervisor (or the Chief of Police in the case of...
Reporting of Employee Convictions

retired officers) in writing of any past or current criminal arrest or conviction regardless of whether or not the matter is currently on appeal and regardless of the penalty or sentence, if any.

All members and all retired officers with an identification card issued by the Department shall further promptly notify their immediate supervisor (or the Chief of Police in the case of retired officers) in writing if the member or retiree becomes the subject of a domestic violence restraining order or similar court order.

Any member whose criminal conviction unduly restricts or prohibits that member from fully and properly performing his/her duties may be disciplined including, but not limited to, being placed on administrative leave, reassignment and/or termination. Any effort to remove such disqualification or restriction shall remain entirely the responsibility of the member on his/her own time and expense.

Any member failing to provide prompt written notice pursuant to this policy shall be subject to discipline.

1004.5 PROCEDURE FOR RELIEF
Pursuant to Penal Code § 29855, a peace officer may petition the court for permission to carry a firearm following a conviction under state law. Federal law, however, does not provide for any such similar judicial relief and the granting of a state court petition under Penal Code § 29855 will not relieve one of the restrictions imposed by federal law. Therefore, relief for any employee falling under the restrictions imposed by federal law may only be obtained by expungement of the conviction. Each employee shall seek relief from firearm restrictions on their own time and through their own resources.

Pursuant to Family Code § 6389(h), an individual may petition the court for an exemption to any restraining order, which would thereafter permit the individual to carry a firearm as a part of their employment. Relief from any domestic violence or other restriction shall also be pursued through the employee’s own resources and on the employee’s own time.

Pending satisfactory proof of relief from any legal restriction imposed on an employee’s duties, the employee may be placed on administrative leave, reassigned or disciplined. The Department may, but is not required to return an employee to any assignment, reinstate any employee or reverse any pending or imposed discipline upon presentation of satisfactory proof of relief from any legal restriction set forth in this policy.
Alcohol and Drug Use

1005.1 PURPOSE AND SCOPE
The intent of this policy is to deter the misuse or abuse of legal or illegal substances that create a threat to the safety and health of any employee or member of the public. The Pleasant Hill Police Department discourages alcohol and drug abuse and strives to achieve a workforce free from the influence of drugs and alcohol.

1005.2 GENERAL GUIDELINES
The consumption of illegal drugs is strictly prohibited and the consumption of alcohol by on-duty personnel is generally prohibited except as necessary and expressly authorized in the performance of an official special assignment. Personnel who are authorized to consume alcohol as part of a special assignment shall not do so to the extent of impairing on-duty performance.

Personnel who have consumed an amount of an alcoholic beverage or taken any medication that would tend to adversely affect their mental or physical abilities shall not report for duty. Personnel shall notify the Watch Commander or appropriate supervisor as soon as they are aware that they will not be able to report to work. If personnel are unable to make the notification, every effort should be made to have a representative contact the supervisor in a timely manner.

1005.2.1 PURCHASE OR POSSESSION OF DRUGS OR ALCOHOL ON-DUTY
Department employees shall not purchase or possess alcohol or other controlled substances on City property, at work, or while on-duty except in the performance of a special assignment as described in this policy.

Department employees shall not illegally manufacture any alcohol or drugs while on-duty, on City property or at any other time.

1005.2.2 USE OF PRESCRIBED MEDICATIONS
Any employee who is required to take any medication with side effects which might impair his/her ability to fully and safely perform all requirements of the position shall report the need for such medication to the immediate supervisor prior to commencing any on-duty status. No employee shall be permitted to work or drive a department-owned or department-leased vehicle while taking such potentially impairing medication without a written release from his/her physician.

Possession of medical marijuana or being under the influence of marijuana on- or off-duty is prohibited and may lead to disciplinary action.

1005.3 EMPLOYEE ASSISTANCE PROGRAM
There may be available a voluntary Employee Assistance Program to assist employees who wish to seek help for alcohol and drug problems. There is also available a variety of insurance coverage which provide treatment for drug and alcohol abuse. Employees may contact the Human Resources Department, their insurance provider, or the Employee Assistance Program for additional information.
Alcohol and Drug Use

Employees who experience drug or alcohol problems are encouraged to seek referral for rehabilitation through the Employee Assistance Programs or their insurance provider. It is the responsibility of each employee to seek assistance before alcohol or drug problems lead to performance problems.

1005.4 WORK RESTRICTIONS
If any personnel inform a supervisor that he/she has consumed any alcohol, drug or medication that could interfere with the safe and efficient performance of his/her duties, the employee may be required to obtain clearance from his/her physician before he/she continues to work.

If a supervisor reasonably believes, based upon objective facts, that any person’s ability to perform his/her duties safely and efficiently may be impaired by the consumption of alcohol or other drugs, the supervisor may ask the person whether he/she has consumed any alcohol or other drugs and, if so the amount and type of alcohol or other drug consumed and the time of consumption, and the name of the person who prescribed the controlled substance.

If the supervisor reasonably believes, based on objective facts, that a person is impaired by the consumption of alcohol or other drugs, the supervisor shall prevent the person from continuing work and shall transport him/her or cause him/her to be transported safely away from the Department.

1005.5 REQUESTING SCREENING TESTS
The Department may request an employee to submit to a screening test if the Department:

(a) Reasonably believes, based upon objective facts, that the employee is under the influence of alcohol or drugs that are impairing his/her ability to perform duties safely and efficiently.

(b) Informs the employee of the specific facts supporting its belief and prepares a written record of those facts, and:

1. Informs the employee whether the test will be for alcohol or drugs or both.

2. Informs the employee that he/she may refuse the test but that refusal may result in dismissal or other disciplinary action.

3. Informs the employee that such a compelled test cannot be used against him in a criminal proceeding.

1005.5.1 ADDITIONAL SCREENING TESTS FOR OFFICERS
The Department may request an employee to submit to a screening test if the employee:

(a) Is a law enforcement officer and, during the performance of his/her duties, discharges a firearm other than by accident.

(b) During the performance of his/her duties, drives a motor vehicle in such a manner as to cause bodily injury to him/herself or another person or substantial damage to property.
Alcohol and Drug Use

1005.5.2 SCREENING TEST REFUSAL
An employee is subject to disciplinary action if he/she:

(a) Fails or refuses to submit to a screening test as requested.

(b) After taking a screening test that indicates the presence of a controlled substance, fails to provide proof, within 72 hours after being requested by his/her appointing authority, that he/she took the controlled substance as directed, pursuant to a current and lawful prescription issued in his/her name.

1005.6 CONFIDENTIALITY
The Department recognizes the confidentiality and privacy due employees. Disclosure of any information relating to chemical abuse treatment, except on a need-to-know basis, shall only be with the express written consent of the employee involved or pursuant to lawful process. The written results of any screening test may be provided to the employee but will remain confidential and separate from the employee's other personnel files.
Personal Data

1006.1 PURPOSE AND SCOPE
The purpose of this section is to establish procedures for employees to keep the Department updated on address changes, contact numbers, and dependent changes.

1006.2 ADDRESS AND TELEPHONE
All Department employees shall maintain a telephone number at their residence. Any change in telephone number or address shall be reported via memorandum or e-mail to the Captain via chain in command within 24 hours of making such a change.

1006.3 DEPENDENT STATUS
All Department employees shall report changes in status of dependents including marriages, divorces, births, or deaths with in 24 hours of such events. Notification may be made by telephone to a Department supervisor in the events of births or deaths if leave is being used in conjunction with these events. Written notification is acceptable in other instances.
Sick Leave Reporting

1007.1 PURPOSE AND SCOPE
Employees of this department are provided with a sick leave benefit that gives them continued compensation during times of absence due to personal or family illness. The number of hours available is detailed in the employee’s respective personnel manual or applicable collective bargaining agreement. Employees may also be entitled to additional paid or unpaid leave for certain family and medical reasons as provided for in the Family and Medical Leave Act (FMLA) (29 CFR 825).

1007.2 EMPLOYEE RESPONSIBILITIES
Sick leave may be used for absences caused by illness, injury, temporary disability (including pregnancy/maternity), or for medical, dental or vision exams or medical treatment of the employee or the employee’s immediate family when it is not possible to schedule such appointments during non-working hours.

Sick leave is not considered vacation, and abuse of sick leave may result in discipline and/or denial of sick-leave benefits. Employees on sick leave shall not engage in other employment or self-employment, or participate in any sport, hobby, recreational or other activity which may impede recovery from the injury or illness.

Upon return to work, employees shall complete and submit a leave request describing the type of leave used and the specific amount of time taken.

1007.2.1 NOTIFICATION
Employees are encouraged to notify the Investigations Division clerical personnel or appropriate supervisor as soon as they are aware that they will not be able to report to work. At a minimum, employees shall make such notification no less than one hour before the start of their scheduled shift. If an employee is unable to contact the supervisor in the case of an emergency, every effort should be made to have a representative contact the supervisor.

When the necessity for leave is foreseeable, such as an expected birth or planned medical treatment, the employee shall, whenever possible, provide the Department with no less than 30-days notice of the intent to take leave.

1007.3 EXTENDED ILLNESS
Employees absent from duty due to personal illness may be required to furnish a statement from their health care provider supporting the use of sick leave and/or the ability to return to work.

Nothing in this section precludes a supervisor, with cause, from requiring a physician’s statement if three or fewer sick days are taken.
1007.4 SUPERVISOR RESPONSIBILITY

Supervisors should monitor sick leave usage and regularly review the attendance of employees under their command to ensure that the use of sick leave is consistent with this policy. Supervisors should address sick-leave use in the employee's performance evaluation when it has negatively affected the employee's performance or ability to complete assigned duties, and when unusual amounts of sick leave by the employee has had a negative impact on department operations. When appropriate, supervisors should counsel employees regarding the excessive use of sick leave and should consider referring the employee to the Employee Assistance Program.
Communicable Diseases

1008.1 PURPOSE AND SCOPE
This policy provides general guidelines to assist in minimizing the risk of department members contracting and/or spreading communicable diseases.

1008.1.1 DEFINITIONS
Definitions related to this policy include:

Communicable disease - A human disease caused by microorganisms that are present in and transmissible through human blood, bodily fluid, tissue, or by breathing or coughing. These diseases commonly include, but are not limited to, hepatitis B virus (HBV), HIV and tuberculosis.

Exposure - When an eye, mouth, mucous membrane or non-intact skin comes into contact with blood or other potentially infectious materials, or when these substances are injected or infused under the skin; when an individual is exposed to a person who has a disease that can be passed through the air by talking, sneezing or coughing (e.g., tuberculosis), or the individual is in an area that was occupied by such a person. Exposure only includes those instances that occur due to a member’s position at the Pleasant Hill Police Department. (See the exposure control plan for further details to assist in identifying whether an exposure has occurred.)

1008.2 POLICY
The Pleasant Hill Police Department is committed to providing a safe work environment for its members. Members should be aware that they are ultimately responsible for their own health and safety.

1008.3 EXPOSURE CONTROL OFFICER
The Chief of Police will assign a person as the Exposure Control Officer (ECO). The ECO shall develop an exposure control plan that includes:

(a) Exposure-prevention and decontamination procedures.
(b) Procedures for when and how to obtain medical attention in the event of an exposure or suspected exposure.
(c) The provision that department members will have no-cost access to the appropriate personal protective equipment (PPE) (e.g., gloves, face masks, eye protection, pocket masks) for each member’s position and risk of exposure.
(d) Evaluation of persons in custody for any exposure risk and measures to separate them (15 CCR 1051; 15 CCR 1207).
(e) Compliance with all relevant laws or regulations related to communicable diseases, including:
   1. Responding to requests and notifications regarding exposures covered under the Ryan White law (42 USC § 300ff-133; 42 USC § 300ff-136).
   2. Bloodborne pathogen mandates including (8 CCR 5193):
Communicable Diseases

(a) Sharps injury log.
(b) Needleless systems and sharps injury protection.

3. Airborne transmissible disease mandates including (8 CCR 5199):
(a) Engineering and work practice controls related to airborne transmissible diseases.
(b) Distribution of appropriate personal protective equipment to minimize exposure to airborne disease.

4. Promptly notifying the county health officer regarding member exposures (Penal Code § 7510).

5. Establishing procedures to ensure that members request exposure notification from health facilities when transporting a person that may have a communicable disease and that the member is notified of any exposure as required by Health and Safety Code § 1797.188.

6. Informing members of the provisions of Health and Safety Code § 1797.188 (exposure to communicable diseases and notification).

(f) Provisions for acting as the designated officer liaison with health care facilities regarding communicable disease or condition exposure notification. The designated officer should coordinate with other department members to fulfill the role when not available. The designated officer shall ensure that the name, title and telephone number of the designated officer is posted on the Department website (Health and Safety Code § 1797.188).

The ECO should also act as the liaison with the Division of Occupational Safety and Health (Cal/OSHA) and may request voluntary compliance inspections. The ECO shall annually review and update the exposure control plan and review implementation of the plan (8 CCR 5193).

1008.4 EXPOSURE PREVENTION AND MITIGATION

1008.4.1 GENERAL PRECAUTIONS
All members are expected to use good judgment and follow training and procedures related to mitigating the risks associated with communicable disease. This includes, but is not limited to (8 CCR 5193):

(a) Stocking disposable gloves, antiseptic hand cleanser, CPR masks or other specialized equipment in the work area or department vehicles, as applicable.
(b) Wearing department-approved disposable gloves when contact with blood, other potentially infectious materials, mucous membranes and non-intact skin can be reasonably anticipated.
(c) Washing hands immediately or as soon as feasible after removal of gloves or other PPE.
(d) Treating all human blood and bodily fluids/tissue as if it is known to be infectious for a communicable disease.
Communicable Diseases

(e) Using an appropriate barrier device when providing CPR.

(f) Using a face mask or shield if it is reasonable to anticipate an exposure to an airborne transmissible disease.

(g) Decontaminating non-disposable equipment (e.g., flashlight, control devices, clothing and portable radio) as soon as possible if the equipment is a potential source of exposure.
   1. Clothing that has been contaminated by blood or other potentially infectious materials shall be removed immediately or as soon as feasible and stored/decontaminated appropriately.

(h) Handling all sharps and items that cut or puncture (e.g., needles, broken glass, razors, knives) cautiously and using puncture-resistant containers for their storage and/or transportation.

(i) Avoiding eating, drinking, smoking, applying cosmetics or lip balm, or handling contact lenses where there is a reasonable likelihood of exposure.

(j) Disposing of biohazardous waste appropriately or labeling biohazardous material properly when it is stored.

1008.4.2 IMMUNIZATIONS
Members who could be exposed to HBV due to their positions may receive the HBV vaccine and any routine booster at no cost (8 CCR 5193).

1008.5 POST EXPOSURE

1008.5.1 INITIAL POST-EXPOSURE STEPS
Members who experience an exposure or suspected exposure shall:
   (a) Begin decontamination procedures immediately (e.g., wash hands and any other skin with soap and water, flush mucous membranes with water).
   (b) Obtain medical attention as appropriate.
   (c) Notify a supervisor as soon as practicable.

1008.5.2 REPORTING REQUIREMENTS
The supervisor on-duty shall investigate every exposure or suspected exposure that occurs as soon as possible following the incident. The supervisor shall ensure the following information is documented (8 CCR 5193):
   (a) Name and Social Security number of the member exposed
   (b) Date and time of the incident
   (c) Location of the incident
   (d) Potentially infectious materials involved and the source of exposure (e.g., identification of the person who may have been the source)
   (e) Work being done during exposure
Communicable Diseases

(f) How the incident occurred or was caused

(g) PPE in use at the time of the incident

(h) Actions taken post-event (e.g., clean-up, notifications)

The supervisor shall advise the member that disclosing the identity and/or infectious status of a source to the public or to anyone who is not involved in the follow-up process is prohibited. The supervisor should complete the incident documentation in conjunction with other reporting requirements that may apply (see the Occupational Disease and Work-Related Injury Reporting Policy).

1008.5.3 MEDICAL CONSULTATION, EVALUATION AND TREATMENT

Department members shall have the opportunity to have a confidential medical evaluation immediately after an exposure and follow-up evaluations as necessary (8 CCR 5193).

The ECO should request a written opinion/evaluation from the treating medical professional that contains only the following information:

(a) Whether the member has been informed of the results of the evaluation.

(b) Whether the member has been notified of any medical conditions resulting from exposure to blood or other potentially infectious materials which require further evaluation or treatment.

No other information should be requested or accepted by the ECO.

1008.5.4 COUNSELING

The Department shall provide the member, and his/her family if necessary, the opportunity for counseling and consultation regarding the exposure (8 CCR 5193).

1008.5.5 SOURCE TESTING

Testing a person for communicable diseases when that person was the source of an exposure should be done when it is desired by the exposed member or when it is otherwise appropriate (8 CCR 5193). Source testing is the responsibility of the ECO. If the ECO is unavailable to seek timely testing of the source, it is the responsibility of the exposed member’s supervisor to ensure testing is sought.

Source testing may be achieved by:

(a) Obtaining consent from the individual.

(b) Complying with the statutory scheme of Health and Safety Code § 121060. This includes seeking consent from the person who was the source of the exposure and seeking a court order if consent is not given.

(c) Testing the exposed member for evidence of a communicable disease and seeking consent from the source individual to either access existing blood samples for testing or for the source to submit to testing (Health and Safety Code § 120262).

(d) Taking reasonable steps to immediately contact the County Health Officer and provide preliminary information regarding the circumstances of the exposure and the status
Communicable Diseases

of the involved individuals to determine whether the County Health Officer will order testing (Penal Code § 7510).

(e) Under certain circumstances, a court may issue a search warrant for the purpose of HIV testing a person when the exposed member qualifies as a crime victim (Penal Code § 1524.1).

Since there is the potential for overlap between the different manners in which source testing may occur, the ECO is responsible for coordinating the testing to prevent unnecessary or duplicate testing.

The ECO should seek the consent of the individual for testing and consult the City Attorney to discuss other options when no statute exists for compelling the source of an exposure to undergo testing if he/she refuses.

1008.6 CONFIDENTIALITY OF REPORTS
Medical information shall remain in confidential files and shall not be disclosed to anyone without the member’s written consent (except as required by law). Test results from persons who may have been the source of an exposure are to be kept confidential as well.

1008.7 TRAINING
All members shall participate in training regarding communicable diseases commensurate with the requirements of their position. The training (8 CCR 5193):

(a) Shall be provided at the time of initial assignment to tasks where an occupational exposure may take place and at least annually after the initial training.

(b) Shall be provided whenever the member is assigned new tasks or procedures affecting his/her potential exposure to communicable disease.

(c) Should provide guidance on what constitutes an exposure, what steps can be taken to avoid an exposure and what steps should be taken if a suspected exposure occurs.
Smoking and Tobacco Use

1009.1 PURPOSE AND SCOPE
This policy establishes limitations on smoking and the use of tobacco products by employees and others while on-duty or while in Pleasant Hill Police Department facilities or vehicles.

For the purposes of this policy, smoking and tobacco use includes, but is not limited to, any tobacco product, such as cigarettes, cigars, pipe tobacco, snuff, tobacco pouches and chewing tobacco, as well as any device intended to simulate smoking, such as an electronic cigarette or personal vaporizer.

1009.2 POLICY
The Pleasant Hill Police Department recognizes that tobacco use is a health risk and can be offensive to others.

Smoking and tobacco use also presents an unprofessional image for the Department and its members. Therefore smoking and tobacco use is prohibited by members and visitors in all department facilities, buildings and vehicles, and as is further outlined in this policy (Government Code § 7597; Labor Code § 6404.5).

1009.3 SMOKING AND TOBACCO USE
Smoking and tobacco use by members is prohibited anytime employees are in public view representing the Pleasant Hill Police Department.

Smoking and the use of other tobacco products is not permitted inside any City facility, office or vehicle (California Labor Code § 6404.5).

It shall be the responsibility of each employee to ensure that no person under his/her supervision smokes or uses any tobacco product inside City facilities and vehicles.

1009.4 ADDITIONAL PROHIBITIONS
No person shall use tobacco products within 20 feet of a main entrance, exit or operable window of any public building (including any department facility), or buildings on the campuses of the University of California, California State University and California community colleges, whether present for training, enforcement or any other purpose (Government Code § 7596 et seq.).
Seat Belts

1010.1 PURPOSE AND SCOPE
This policy establishes guidelines for the use of seat belts and child restraints. This policy will apply to all members operating or riding in department vehicles (Vehicle Code § 27315.5).

1010.1.1 POLICY
It is the policy of the Pleasant Hill Police Department that members use safety and child restraint systems to reduce the possibility of death or injury in a motor vehicle collision.

1010.1.2 DEFINITIONS
Definitions related to this policy include:

Child restraint system - An infant or child passenger restraint system that meets Federal Motor Vehicle Safety Standards (FMVSS) and Regulations set forth in 49 CFR 571.213.

1010.2 WEARING OF SAFETY RESTRAINTS
All members shall wear properly adjusted safety restraints when operating or riding in a seat equipped with restraints, in any vehicle owned, leased or rented by this department while on- or off-duty, or in any privately owned vehicle while on-duty. The member driving such a vehicle shall ensure that all other occupants, including non-members, are also properly restrained.

Exceptions to the requirement to wear safety restraints may be made only in exceptional situations where, wearing a seat belt would endanger the member or the public. Members must be prepared to justify any deviation from this requirement.

1010.3 TRANSPORTING SUSPECTS, PRISONERS OR ARRESTEES
Suspects, prisoners and arrestees should be in a seated position and secured in the rear seat of any department vehicle with restraint system or seat belts provided by the vehicle manufacturer. The restraint system is not intended to be a substitute for handcuffs or other appendage restraints.

Prisoners in leg restraints shall be transported in accordance with the Handcuffing and Restraints Policy.

1010.4 INOPERABLE SEAT BELTS
Department vehicles shall not be operated when the seat belt in the driver's position is inoperable. Persons shall not be transported in a seat in which the seat belt is inoperable.

Department vehicle seat belts shall not be modified, removed, deactivated or altered in any way, except by the vehicle maintenance and repair staff, who shall do so only with the express authorization of the Chief of Police.

Employees who discover an inoperable restraint system shall report the defect to the appropriate supervisor. Prompt action will be taken to replace or repair the system.
Seat Belts

1010.5 TRANSPORTING CHILDREN
Children under the age of 8 shall be transported in compliance with California’s child restraint system requirements (Vehicle Code § 27360; Vehicle Code § 27363).

Rear seat passengers in a cage-equipped vehicle may have reduced clearance, which requires careful seating and positioning of seat belts. Due to this reduced clearance, and if permitted by law, children and any child restraint system may be secured in the front seat of such vehicles provided this positioning meets federal safety standards and the vehicle and child restraint system manufacturer’s design and use recommendations. In the event that a child is transported in the front seat of a vehicle, the seat should be pushed back as far as possible and the passenger-side airbag should be deactivated. If this is not possible, members should arrange alternate transportation when feasible. A child shall not be transported in a rear-facing child restraint system in the front seat in a vehicle that is equipped with an active frontal passenger airbag (Vehicle Code § 27363).

1010.6 VEHICLES MANUFACTURED WITHOUT SEAT BELTS
Vehicles manufactured and certified for use without seat belts or other restraint systems are subject to the manufacturer’s operator requirements for safe use.

1010.7 VEHICLE AIRBAGS
In all vehicles equipped with airbag restraint systems, the system will not be tampered with or deactivated, except when transporting children as written elsewhere in this policy. All equipment installed in vehicles equipped with airbags will be installed as per the vehicle manufacturer specifications to avoid the danger of interfering with the effective deployment of the airbag device.
Body Armor

1011.1 PURPOSE AND SCOPE
The purpose of this policy is to provide law enforcement officers with guidelines for the proper use of body armor.

1011.2 POLICY
It is the policy of the Pleasant Hill Police Department to maximize officer safety through the use of body armor in combination with prescribed safety procedures. While body armor provides a significant level of protection, it is not a substitute for the observance of officer safety procedures.

1011.3 ISSUANCE OF BODY ARMOR
The Administration supervisor shall ensure that body armor is issued to all officers when the officer begins service at the Pleasant Hill Police Department and that, when issued, the body armor meets or exceeds the standards of the National Institute of Justice.

The Administration supervisor shall establish a body armor replacement schedule and ensure that replacement body armor is issued pursuant to the schedule or whenever the body armor becomes worn or damaged to the point that its effectiveness or functionality has been compromised.

1011.3.1 USE OF SOFT BODY ARMOR
Generally, the use of body armor is required subject to the following:

(a) Officers shall only wear agency-approved body armor.

(b) Officers shall wear body armor anytime they are in a situation where they could reasonably be expected to take enforcement action.

(c) Officers may be excused from wearing body armor when they are functioning primarily in an administrative or support capacity and could not reasonably be expected to take enforcement action.

(d) Body armor shall be worn when an officer is working in uniform or taking part in Department range training.

(e) An officer may be excused from wearing body armor when he/she is involved in undercover or plainclothes work that his/her supervisor determines could be compromised by wearing body armor, or when a supervisor determines that other circumstances make it inappropriate to mandate wearing body armor.

1011.4 EXTERNAL VEST CARRIER

Any officer who elects to purchase an external vest carrier (EVC), i.e., patrol/ load bearing vest, may do so within the following specifications:
Body Armor

(a) The Pleasant Hill Police Department has authorized the Safariland Fremont TOC make/model EVC for patrol use. The EVC will be black with a badge holder affixed to the left chest and a name tag affixed to the right chest.

(b) External body armor of a different model or manufacturer must be approved by the Chief of Police prior to use by department personnel.

(c) Duty handgun and ammunition must be worn on the waist, attached to a duty belt.

(d) Sworn personnel that choose to wear the EVC will complete a training block with the Force Options Team to familiarize themselves with the set up of their EVC.

(e) Sworn patrol personnel will wear their assigned metal badge affixed to the EVC and a name tag affixed to the name tag holder when the EVC is worn for patrol. Officers may elect to have an embroidered name for the EVC in ½” block letters in light grey (Madeira Thread Company / color code: 1615). The lettering will be all upper case lettering include the officer’s first initial followed by a period, then the officer’s last name. Personnel who have a specialty assignment (SWAT, FTO, K-9, ect) will be allowed to wear their designated specialty pin above their name.

(f) All pouches worn on the EVC will be black. Pouches will be limited to the following unless specifically authorized by the division lieutenant:
   • Taser pouch (worn on the opposite side from duty gun)
   • Handcuff pouch (double or single)
   • Single knife pouch (no fixed blade knives will be visibly worn on the vest)
   • Baton pouch
   • Flashlight pouch
   • Chemical agent pouch
   • Radio Pouch
   • Glove pouch

(g) The EVC is equipped with a concealable Velcro panel on the back used to affix various identification panels. This panel will be worn concealed for normal patrol use. If the EVC is needed to be worn while out of police uniform (e.g., detectives or during an emergency), the panel should be pulled out to display “POLICE” in 3” white lettering.

(h) Officers electing to wear an EVC will be responsible for the upkeep of the EVC. Supervisors will perform periodic inspections of their personnel’s EVC to reensure conformance with policy section 1046 Uniform Regulations.

(i) EVC can be worn with the standard class B, or when otherwise authorized by the supervisor in charge of a specific detail.
(j) The EVC will not be worn during court proceedings. The sole exception is that the EVC may be worn during traffic court proceedings.
Peace Officer Personnel Files

1012.1 PURPOSE AND SCOPE
This section governs the maintenance, retention and access to peace officer personnel files in accordance with established law. It is the policy of this department to maintain the confidentiality of peace officer personnel records pursuant to Penal Code § 832.7.

1012.2 PERSONNEL FILES DEFINED
Pursuant to Penal Code § 832.8, peace officer personnel records shall include any file maintained under an individual officer's name relating to:

(a) Personal data, including marital status, family members, educational and employment history, or similar information.

(b) Medical history including medical leave of absence forms, fitness for duty examinations, workers compensation records, medical releases and all other records which reveal an employee's past, current or anticipated future medical conditions.

(c) Election of employee benefits.

(d) Employee advancement, appraisal, or discipline.

(e) Complaints, or investigations of complaints, concerning an event or transaction in which the officer participated, or which the officer perceived, and pertaining to the manner in which the officer performed official duties.

(f) Any other information the disclosure of which would constitute an unwarranted invasion of personal privacy.

1012.3 EMPLOYEE RECORD LOCATIONS
Employee records will generally be maintained in any of the following:

Personnel File - That file which is maintained in the office of the Chief of Police as a permanent record of a sworn officer's employment with this department.

Progress or Division File - Any file which is separately maintained internally by an employee's supervisor(s) within an assigned division for the purpose of completing timely performance evaluations.

Training File - Any file which documents the training records of an employee.

Internal Affairs Files - Those files that contain complaints of employee misconduct and all materials relating to the investigation into such allegations, regardless of disposition.

Medical File - A file containing information as defined in 1026.2 (b) above.
1012.4 CONFIDENTIALITY OF ALL PERSONNEL FILES
Pursuant to Penal Code § 832.7, all of the above-defined personnel records shall be deemed confidential and shall not be subject to disclosure except pursuant to the discovery procedures set forth in Evidence Code § 1043, et seq. or in accordance with applicable federal discovery laws. Nothing in this section is intended to preclude review of personnel files by the City Manager, City Attorney or other attorneys or representatives of the City in connection with official business.

1012.5 REQUESTS FOR DISCLOSURE
Only written requests for the disclosure of any information contained in any peace officer personnel record will be considered. Since the format of such requests may be strictly governed by law with specific responses required, all such requests shall be promptly brought to the attention of the Watch Commander, the Custodian of Records or other person charged with the maintenance of such records.

Upon receipt of any such request, the responsible person shall notify the affected employee(s) as soon as practicable that such a request has been made (Evidence Code § 1043(a)).

The responsible person shall further ensure that an appropriate response to the request is made in a timely manner, consistent with applicable law. In many cases, this will require assistance of approved and available legal counsel.

All requests for disclosure, which result in access to an employee’s personnel file(s), shall be logged in the corresponding file.

1012.5.1 RELEASE OF CONFIDENTIAL INFORMATION
Except as provided by this policy or pursuant to lawful process, no information contained in any confidential peace officer personnel file shall be disclosed to any unauthorized person(s) without the expressed prior consent of the involved officer or written authorization of the Chief of Police or his or her designee.

Any person who maliciously, and with the intent to obstruct justice or the due administration of the laws, publishes, disseminates, or otherwise discloses the residence address or telephone number of any member of this department may be guilty of a misdemeanor (Penal Code § 146e).

Pursuant to Penal Code § 832.7(e), the disposition of any citizen's complaint shall be released to the complaining party within 30 days of the final disposition. This release shall be limited to the disposition and shall not include what discipline, if any was imposed.

The Department may also release any factual information concerning a disciplinary investigation if the officer who is the subject of the investigation (or the officer's representative) publicly makes a statement which is published in the media and which the officer (or representative) knew to be false. The disclosure of such information, if any, shall be limited to facts that refute any such false statement (Penal Code § 832.7(d)).
1012.6 EMPLOYEE ACCESS TO OWN FILE
Any employee may request access to his/her own personnel file(s) during the normal business hours of the individual(s) responsible for maintaining such file(s). Any employee seeking the removal of any item from his/her personnel file shall file a written request to the Chief of Police through the chain of command. The Department shall thereafter remove any such item if appropriate or within 30 days provide the employee with a written explanation why the contested item will not be removed (Government Code 3306.5). If the contested item is not removed from the file, the employee's request and the department's written response shall be retained with the contested item in the employee's personnel file.

Employees may be restricted from accessing files containing any of the following information:

(a) Ongoing Internal affairs investigations to the extent that it could jeopardize or compromise the investigation pending final disposition or notice to the employee of the intent to discipline.

(b) Confidential portions of Internal Affairs files which have not been sustained against the employee

1012.7 TYPES OF PERSONNEL FILES
Peace officer personnel files can be located in any of the following places:

1012.7.1 DEPARTMENT FILE
The Department "Personnel" file should contain, but is not limited to, the following:

(a) Performance evaluation reports regularly completed by appropriate supervisor and signed by the affected employee shall be permanently maintained.

(b) Disciplinary action:

(c) 1. Disciplinary action resulting from sustained internally initiated complaints shall be maintained in the individual employee's department file at least five years (City of Pleasant Hill Records Retention Schedule).

2. Disciplinary action resulting from a sustained citizen's complaint shall be maintained in the individual employee's department file at least five years (City of Pleasant Hill Records Retention Schedule, Penal Code § 832.5).

3. Investigations of complaints which result in a finding of not-sustained, unfounded or exonerated shall not be placed in the employee's department file, but will be separately maintained for the appropriate retention period in the internal affairs file.

(d) Commendations shall be retained in the employee's department file, with a copy provided to the involved employee.

(e) Department Orders reflecting assignments, promotions and other changes in the employee's employment status shall be permanently retained.
Peace Officer Personnel Files

(f) A photograph of the employee shall be permanently retained.

1012.7.2  DIVISION FILE
The Division or Progress file should contain, but is not limited to, the following:

(a) Supervisor entries, notices to correct and other materials intended to serve as a foundation for the completion of timely performance evaluations

1. All materials intended for this interim file shall be provided to the employee prior to being placed in the file in accordance with Government Code §§ 3305 and 3306.

2. Adverse comments, written by supervisors, may be retained in the division or Progress File after the employee has had the opportunity to read and initial the comment and for a period up to two years (Government Code § 3305). Once an employee has had an opportunity to read and initial any adverse comment prior to entry into a file, the employee shall be given the opportunity to respond in writing to such adverse comment within 30 days (Government Code § 3306). Any such employee response shall be attached to and retained with the original adverse comment. If an employee refuses to initial or sign an adverse comment, at least one supervisor should note the date and time of such refusal on the original comment. Such a refusal, however, shall not be deemed insubordination nor shall it prohibit the entry of the adverse comment into the employee's file.

3. Duplicate copies of items that will also be included in the employee's Personnel file may be placed in this interim file in anticipation of completing any upcoming performance evaluation. If the items are duplicates, those items may be removed from the Progress file upon completion of the annual evaluation. Other items will be retained per the City of Pleasant Hill Police Department Records Retention Policy (City Council Resolution 76-01) and existing law.

4. All rules of confidentiality and disclosure shall apply equally to the division file.

1012.7.3  INTERNAL AFFAIRS FILE
Internal affairs files shall be maintained under the exclusive control of the Professional Standards Division in conjunction with the office of the Chief of Police. Access to these files may only be approved by the Chief of Police or the supervisor of the Professional Standards Division. These files shall contain:

(a) The complete investigation of all formal complaints of employee misconduct, regardless of disposition

1. Each investigation file shall be sequentially numbered within a calendar year (e.g., yy-001, yy-002).

2. Each investigation file arising out of a formal citizen's complaint or a complaint involving a discriminatory harassment or hostile work environment shall be
Peace Officer Personnel Files

maintained no less than five years (Penal Code § 832.5(b)). Investigation files arising out of other internally generated complaints shall be maintained no less than two years (Government Code § 34090).

(b) Investigations that result in other than a sustained finding shall be maintained for the minimum statutory period but may not be used by the Department to adversely affect an employee's career (Penal Code § 832.5 (c)).

1012.7.4  TRAINING FILES
An individual training file shall be maintained by the Professional Standards Bureau for each employee. Training files will contain records of all training and education mandated by law or the Department, including firearms qualifications and mandated annual proficiency requalification.

(a) It shall be the responsibility of the involved employee to provide the Professional Standards Sergeant or immediate supervisor with evidence of completed training/education in a timely manner.

(b) The Professional Standards Sergeant or supervisor shall ensure that copies of such training records are placed in the employee’s training file.

(c) The record of employee's performance in the employee's training program will be maintained by the Professional Standards Sergeant.

1012.7.5  MEDICAL FILE
A medical file shall be maintained separately from all other files and shall contain all documents relating to the employee's medical condition and history, including but not limited to the following:

(a) Materials relating to medical leaves of absence.

(b) Documents relating to workers compensation claims or receipt of short or long term disability benefits.

(c) Fitness for duty examinations, psychological and physical examinations, follow-up inquiries and related documents.

(d) Medical release forms, doctor's slips and attendance records which reveal an employee's medical condition.

(e) Any other documents or material which reveals the employee's medical history or medical condition, including past, present, or future anticipated mental, psychological, or physical limitations.

1012.8  PURGING OF FILES
Formal citizen complaints and all related files not pending litigation or other ongoing legal proceedings may be purged no sooner than five years from the underlying complaint date (Penal Code § 832.5).
All other disciplinary files and investigations of non-citizen initiated complaints not pending litigation or other ongoing legal proceedings may be purged no sooner than five years from the underlying complaint date (City of Pleasant Hill Police Records Retention Schedule).

(a) Each supervisor responsible for completing the employee's performance evaluation shall also determine whether any prior sustained disciplinary file should be retained beyond the statutory period for reasons other than pending litigation or other ongoing legal proceedings.

(b) If a supervisor determines that records of prior discipline should be retained beyond the applicable statutory period, approval for such retention shall be obtained through the chain of command from the Chief of Police.

(c) During the preparation of each employee's performance evaluation, all complaints and discipline should be reviewed to determine the relevancy, if any, to progressive discipline, training and career development. If, in the opinion of the Chief of Police, a complaint or disciplinary action beyond the statutory retention period is no longer relevant, all records of such matter may be destroyed pursuant to resolution.

(d) All purging of records will be consistent with the City of Pleasant Hill Police Department Records Retention Policy; see City Council Resolution 76-01.

1012.9  BRADY MATERIAL IN PERSONNEL FILES
The purpose of this section is to establish a procedure for releasing potentially exculpatory information (so-called Brady material) contained within confidential peace officer personnel files.

1012.9.1  DEFINITIONS

Brady Material - In the Brady v. Maryland decision (373 U.S. 83 (1963)) the United States Supreme Court held that the prosecution has an affirmative duty to disclose to the defendant evidence which is both favorable and material to the guilt and/or punishment of the defendant.

The Prosecution - Refers to the District Attorney and all investigative agencies involved in the criminal prosecution of a defendant, including this department.

Penal Code § 1054.1 - California law also establishes a criminal defendant's right to access potentially exculpatory evidence.

1012.9.2  RELEASE OF PERSONNEL FILES TO DISTRICT ATTORNEY
Pursuant to Penal Code § 832.7(a), the only time the District Attorney (Attorney General or Grand Jury) is entitled to access confidential peace officer personnel files without filing a so-called Pitchess motion (Evidence Code § 1043 et seq.) is when they are investigating the conduct of an officer or this department. Such access shall not be considered a waiver of the confidentiality of the information contained in these files.

Absent a specific investigation of identified officer(s) or a specific investigation of this department (or the consent of an involved officer), no confidential information from any officer's personnel file
shall be released to the District Attorney or Grand Jury without full compliance with the Pitchess process. The prosecution of a criminal defendant is not considered an investigation of any involved officer.

Should an officer's credibility or other issues related to an officer's personnel file arise in the context of an officer acting as a witness for the prosecution, access to that officer's personnel file by either the District Attorney or the criminal defendant shall be limited to that which is authorized by the process set forth in Evidence Code § 1043, et seq.

1012.9.3 PROCEDURE
Procedures for contact with the Contra Costa County District Attorney's Office regarding Brady issues and specific officers will be handled as appropriate and necessary or per the agreement between the Chief of Police or designee and District Attorney's Office and/or any county wide protocol agreed to by the City of Pleasant Hill Police Department and Contra Costa County District Attorney's Office.

1012.9.4 CITY POLICY
The City of Pleasant Hill Records Retention Policy, adopted by resolution of the City Council, also will serve as a guide on the retention of personnel records. See the policy for further. The Records Retention Policy will supersede this policy in the event conflicts arise.
Request for Change of Assignment

1013.1 PURPOSE AND SCOPE
It is the intent of the Department that all requests for change of assignment are considered equally. To facilitate the selection process, the following procedure is established whereby all such requests will be reviewed on an equal basis as assignments are made.

1013.2 REQUEST FOR CHANGE OF ASSIGNMENT
Personnel wishing a change of assignment are to complete a Request for Change of Assignment form. The form should then be forwarded through the chain of command to the Chief of Police.

1013.2.1 PURPOSE OF MEMO
The memo is designed to aid employees in listing their qualifications for specific assignments. All relevant experience, education and training should be included when completing this memo.
Employee Commendations

1014.1 PURPOSE AND SCOPE
Special recognition may be in order whenever an employee performs his/her duties in an exemplary manner. This procedure provides general guidelines for the commending of exceptional employee performance.

1014.2 WHO MAY MAKE COMMENDATIONS
A written commendation may be made by any supervisor regarding any other employee of the Department, provided the reporting person is of higher rank or the immediate supervisor of the person receiving the commendation. Additionally, investigating officers may commend uniformed officers for exceptional assistance in investigative functions, with approval from the investigator's supervisor. Any employee may recommend a commendation to the supervisor of the employee subject to commendation.

1014.3 COMMENDABLE ACTIONS
A meritorious or commendable act by an employee of this department may include, but is not limited to, the following:

- Superior handling of a difficult situation by an employee
- Conspicuous bravery or outstanding performance by any employee of the Department
- Any action or performance that is above and beyond the typical duties of an employee

1014.3.1 COMMENDATION PROCEDURES
The Commendation form shall be used to document the commendation of the employee and shall contain the following.

(a) Employee name and assignment
(b) A brief account of the employee's actions
(c) Signature of the person completing the commendation

Completed forms will be forwarded to the appropriate Division Commander for review, any comments, and signature. The Division Commander will sign and forward the report to the Captain and Chief of Police for review and signatures. After the Chief of Police has signed the form, a copy will be forwarded to the involved employee and to the employee's Personnel file. The Chief of Police may elect to post the commendation on the Administration Bulletin Board.
Respiratory Protection Program

1015.1 PURPOSE AND SCOPE
The purpose and scope of this policy is to establish procedures for the use of respiratory protection equipment within the Pleasant Hill Police Department. The Department operates a Respiratory Protection Program in compliance with Federal and State occupational safety and health or OSHA regulations.

The Respiratory Protection Program policy is not incorporated into this manual and it is a separate policy. The master copy (December 2003) of the policy is maintained by the Patrol Division Commander.
Fitness for Duty

1016.1 PURPOSE AND SCOPE
All officers are required to be free from any physical, emotional, or mental condition which might adversely affect the exercise of peace officer powers. The purpose of this policy is to ensure that all officers of this department remain fit for duty and able to perform their job functions (Government Code § 1031).

1016.2 EMPLOYEE RESPONSIBILITIES
(a) It shall be the responsibility of each member of this department to maintain good physical condition sufficient to safely and properly perform essential duties of their position.
(b) Each member of this department shall perform his/her respective duties without physical, emotional, and/or mental constraints.
(c) During working hours, all employees are required to be alert, attentive, and capable of performing his/her assigned responsibilities.
(d) Any employee who feels unable to perform his/her duties shall promptly notify a supervisor. In the event that an employee believes that another employee is unable to perform his/her duties, such observations and/or belief shall be promptly reported to a supervisor.

1016.3 SUPERVISOR RESPONSIBILITIES
(a) A supervisor observing an employee, or receiving a report of an employee who is perceived to be, unable to safely perform his/her duties due to a physical or mental condition shall take prompt and appropriate action in an effort to resolve the situation.
(b) Whenever feasible, the supervisor should attempt to ascertain the reason or source of the problem and in all cases a preliminary evaluation should be made in an effort to determine the level of inability of the employee to perform his/her duties.
(c) In the event the employee appears to be in need of immediate medical or psychiatric treatment, all reasonable efforts should be made to provide such care.
(d) In conjunction with the Watch Commander or employee’s available Division Commander, a determination should be made whether or not the employee should be temporarily relieved from his/her duties.
(e) The Chief of Police shall be promptly notified in the event that any employee is relieved from duty.
Fitness for Duty

1016.4 NON-WORK RELATED CONDITIONS
Any employee suffering from a non-work related condition which warrants a temporary relief from duty may be required to use sick leave or other paid time off in order to obtain medical treatment or other reasonable rest period.

1016.5 WORK RELATED CONDITIONS
Any employee suffering from a work related condition which warrants a temporary relief from duty shall be required to comply with personnel rules and guidelines for processing such claims.

Upon the recommendation of the Watch Commander or unit supervisor and concurrence of a Division Commander, any employee whose actions or use of force in an official capacity result in death or serious injury to another may be temporarily removed from regularly assigned duties and/or placed on paid administrative leave for the wellbeing of the employee and until such time as the following may be completed:

(a) A preliminary determination that the employee's conduct appears to be in compliance with policy and, if appropriate.

(b) The employee has had the opportunity to receive necessary counseling and/or psychological clearance to return to full duty.

1016.6 PHYSICAL AND PSYCHOLOGICAL EXAMINATIONS

(a) Whenever circumstances reasonably indicate that an employee is unfit for duty, the Chief of Police may serve that employee with a written order to undergo a physical and/or psychological examination in cooperation with Human Resources Department to determine the level of the employee's fitness for duty. The order shall indicate the date, time and place for the examination.

(b) The examining physician or therapist will provide the Department with a report indicating that the employee is either fit for duty or, if not, listing any functional limitations which limit the employee's ability to perform job duties (Civil Code § 56.10 (c)(8)(A)). If the employee places his/her condition at issue in any subsequent or related administrative action/grievance, the examining physician or therapist may be required to disclose any and all information which is relevant to such proceeding (Civil Code § 56.10(c)(8)(B)).

(c) In order to facilitate the examination of any employee, the Department will provide all appropriate documents and available information to assist in the evaluation and/or treatment.

(d) All reports and evaluations submitted by the treating physician or therapist shall be part of the employee's confidential personnel file.

(e) Any employee ordered to receive a fitness for duty examination shall comply with the terms of the order and cooperate fully with the examining physician or therapist.
Fitness for Duty

regarding any clinical interview, tests administered or other procedures as directed. Any failure to comply with such an order and any failure to cooperate with the examining physician or therapist may be deemed insubordination and shall be subject to discipline up to and including termination.

(f) Once an employee has been deemed fit for duty by the examining physician or therapist, the employee will be notified to resume his/her duties.

1016.7 APPEALS
An employee who is separated from paid employment or receives a reduction in salary resulting from a fitness for duty exam shall be entitled to an administrative appeal as outlined in Policy Manual § 340 (Disciplinary Policy).
Meal Periods and Breaks

1017.1 PURPOSE AND SCOPE
This policy regarding meals and breaks, insofar as possible shall conform to the policy governing all City employees that has been established by the City Manager.

1017.1.1 MEAL PERIODS
Sworn employees and dispatchers shall remain on duty subject to call during meal breaks. All other employees are not on call during meal breaks unless directed otherwise by a supervisor.

Uniformed patrol and traffic officers shall request clearance from Dispatch prior to taking a meal period. Uniformed officers shall take their breaks within the City limits unless on assignment outside of the City.

The time spent for the meal period shall not exceed the authorized time allowed of 45 minutes for personnel assigned to 12 hour shifts.

1017.1.2 15 MINUTE BREAKS
Each employee is entitled to a 15 minute break, near the mid point, for each four-hour work period. Only one 15 minute break shall be taken during each four hours of duty. No breaks shall be taken during the first or last hour of an employee's shift unless approved by a supervisor.

Employees normally assigned to the police facility shall remain in the police facility for their breaks. This would not prohibit them from taking a break outside the facility if on official business.

Field officers will take their breaks subject to call and officers will monitor their radios. When field officers take their breaks away from their vehicles, they shall do so only with the knowledge of Dispatch.
Lactation Break Policy

1018.1 PURPOSE AND SCOPE
The purpose of this policy is to provide reasonable accommodations to employees desiring to express breast milk for the employee’s infant child (29 USC § 207 and Labor Code §§ 1030-1032).

1018.2 POLICY
It is the policy of this department to provide, in compliance with the Fair Labor Standards Act, reasonable break time and appropriate facilities to accommodate any employee desiring to express breast milk for her nursing infant child (29 USC § 207 and Labor Code § 1030).

1018.3 LACTATION BREAK TIME
A rest period should be permitted each time the employee has the need to express breast milk (29 USC § 207). In general, lactation breaks that cumulatively total 30 minutes or less during any four-hour work period or major portion of a four-hour work period would be considered reasonable. However, individual circumstances may require more or less time. Such breaks, if feasible, should be taken at the same time as the employee’s regularly scheduled rest or meal periods.

While a reasonable effort will be made to provide additional time beyond authorized breaks, any such time exceeding regularly scheduled and paid break time will be unpaid (Labor Code § 1030).

Employees desiring to take a lactation break shall notify Dispatch or a supervisor prior to taking such a break. Such breaks may be reasonably delayed if they would seriously disrupt department operations (Labor Code § 1032).

Once a lactation break has been approved, the break should not be interrupted except for emergency or exigent circumstances.

1018.4 PRIVATE LOCATION
The Department will make reasonable efforts to accommodate employees with the use of an appropriate room or other location to express milk in private. Such room or place should be in close proximity to the employee’s work area and shall be other than a bathroom or toilet stall. The location must be shielded from view and free from intrusion from co-workers and the public (29 USC § 207 and Labor Code § 1031).

Employees occupying such private areas shall either secure the door or otherwise make it clear to others that the area is occupied with a need for privacy. All other employees should avoid interrupting an employee during an authorized break, except to announce an emergency or other urgent circumstance.

Authorized lactation breaks for employees assigned to the field may be taken at the nearest appropriate private area.
Lactation Break Policy

1018.5 STORAGE OF EXPRESSED MILK
Any employee storing expressed milk in any authorized refrigerated area within the Department shall clearly label it as such and shall remove it when the employee ends her shift.
Time Card Procedures

1019.1 PURPOSE AND SCOPE
Payroll records are submitted to Administration on a bi-weekly basis for the payment of wages.

1019.1.1 RESPONSIBILITY FOR COMPLETION OF PAYROLL RECORDS
Employees are responsible for the accurate and timely submission of payroll records for the payment of wages.

1019.1.2 TIME REQUIREMENTS
All employees are paid on a bi-weekly basis usually on Friday with certain exceptions such as holidays. Payroll records shall be completed and submitted to Administration no later than 8:00 a.m. on the Wednesday morning before the end of the pay period, unless specified otherwise.
Personnel Complaint Procedure

1020.1 PURPOSE AND SCOPE
The purpose of this procedure is to provide guidelines for the reporting, investigation and disposition of complaints regarding the conduct of members and employees of this department.

1020.1.1 PERSONNEL COMPLAINTS DEFINED
Personnel complaints consist of any allegation of misconduct or improper job performance against any department employee that, if true, would constitute a violation of department policy, federal, state or local law.

Inquiries about employee conduct which, even if true, would not qualify as a personnel complaint may be handled informally by a department supervisor and shall not be considered complaints.

This policy shall not apply to any interrogation, counseling, instruction, informal verbal admonishment or other routine or unplanned contact of an employee in the normal course of duty, by a supervisor or any other employee, nor shall this policy apply to an investigation concerned solely and directly with alleged criminal activities (Cal. Govt. Code 3303(i)).

Personnel Complaints shall be classified in one of the following categories:

Informal - A matter in which the complaining party is satisfied that appropriate action has been taken by a department supervisor of rank greater than the accused employee. Informal complaints need not be documented on a personnel complaint form and the responsible supervisor shall have the discretion to handle the complaint in any manner consistent with this policy.

Formal - A matter in which the complaining party requests further investigation or which a department supervisor determines that further action is warranted. Such complaints may be investigated by a department supervisor of rank greater than the accused employee or referred to the Professional Standards Division depending on the seriousness and complexity of the investigation.

Incomplete - A matter in which the complaining party either refuses to cooperate or becomes unavailable after diligent follow-up investigation. At the discretion of the assigned supervisor or the Professional Standards Division, such matters need not be documented as personnel complaints, but may be further investigated depending on the seriousness of the complaint and the availability of sufficient information.

1020.2 AVAILABILITY AND ACCEPTANCE OF COMPLAINTS

1020.2.1 AVAILABILITY OF COMPLAINT FORMS
Personnel complaint forms will be maintained in a clearly visible location in the public lobby.

1020.2.2 SOURCE OF COMPLAINTS

(a) A department employee becoming aware of alleged misconduct shall immediately notify a supervisor.
Personnel Complaint Procedure

(b) A supervisor receiving a complaint from any source alleging misconduct of an employee which, if true, could result in disciplinary action.

(c) Anonymous complaints and third party complaints should be accepted and investigated to the extent that sufficient information is provided.

1020.2.3 ACCEPTANCE OF COMPLAINTS
A complaint may be filed in person, in writing, or by telephoning the Department. Although not required, every effort should be made to have the complainant appear in person. The following should be considered before taking a complaint:

(a) Complaints shall not be prepared unless the alleged misconduct or job performance is of a nature which, if true, would normally result in disciplinary action

(b) When an uninvolved supervisor or the Watch Commander determines that the reporting person is satisfied that their complaint required nothing more than an explanation regarding the proper/improper implementation of department policy or procedure, a complaint need not be taken

(c) When the complainant is intoxicated to the point where his/her credibility appears to be unreliable, identifying information should be obtained and the person should be provided with a Personnel Complaint form

(d) Depending on the urgency and seriousness of the allegations involved, complaints from juveniles should generally be taken only with their parents or guardians present and after the parents or guardians have been informed of the circumstances prompting the complaint

1020.2.4 COMPLAINT DOCUMENTATION
Formal complaints of alleged misconduct shall be documented by a supervisor on a personnel complaint form. The supervisor shall ensure that the nature of the complaint is defined as clearly as possible.

A supervisor may elect to document informal complaints as a progress file entry.

When a Personnel Complaint form is completed in person, the complainant should legibly write a detailed narrative of his/her complaint. If circumstances indicate that this is not feasible, the complaint may be dictated to the receiving supervisor. In an effort to ensure accuracy in any complaint, it is recommended that a recorded statement be obtained from the reporting party. A refusal by a party to be recorded shall not alone be grounds to refuse to accept a complaint. Whether handwritten or dictated, the complainant's signature should be obtained at the conclusion of the statement. The complainant should be provided with a copy of his/her own original complaint per Penal Code § 832.7.

1020.3 SUPERVISOR RESPONSIBILITY
A supervisor who becomes aware of alleged misconduct shall take reasonable steps to prevent aggravation of the situation. Moreover, supervisors shall also maintain the ability to engage in
Personnel Complaint Procedure

the interrogation of an employee in the normal course of duty, counseling, instruction, or informal verbal admonishment, or other routine or unplanned contact (Cal. Govt. Code 3303(i)).

In general, the primary responsibility for the investigation of a personnel complaint shall rest with the employee's immediate supervisor. The Chief of Police or authorized designee may, however, direct that another supervisor investigate it. The supervisor shall be responsible for the following:

(a) A supervisor receiving a formal complaint involving allegations of a potentially serious nature shall ensure that the Watch Commander, Commanding Officer and Chief of Police are notified as soon as practicable.

(b) A supervisor receiving or initiating any formal complaint shall ensure that a Personnel Complaint form has been completed as fully as possible. The original complaint form will then be directed to the Commanding Officer of the accused employee, via the chain of command, who will take appropriate action or forward the complaint to the Professional Standards Division for further action.

1. During the preliminary investigation of any complaint, the supervisor should make every reasonable effort to obtain names, addresses and telephone numbers of additional witnesses.

2. Once immediate medical attention has been provided, photographs of alleged injuries as well as accessible areas of non-injury should be taken.

3. In circumstances where the integrity of the investigation could be jeopardized by reducing the complaint to writing or where the confidentiality of a complainant is at issue, a supervisor shall orally report the matter to the employee's Division Commander or the Chief of Police who will initiate appropriate action.

(c) A supervisor dealing with an accused employee shall ensure that the procedural rights of the employee are followed pursuant to Government Code § 3303, et seq.

(d) When the nature of a personnel complaint relates to sexual, racial, ethnic, or other forms of prohibited harassment or discrimination, the supervisor receiving the complaint shall promptly contact the Human Resources Department and the Chief of Police for direction regarding their role in investigation and/or addressing the complaint.

1020.4 ASSIGNMENT TO ADMINISTRATIVE LEAVE

When a complaint of misconduct is of a serious nature or when circumstances practically dictate that it would impose an unreasonable risk to the Department, the employee, other employees or the public, a supervisor or Command officer may assign the accused employee to inactive duty pending completion of the investigation or the filing of administrative charges.

1020.4.1 ADMINISTRATIVE LEAVE

An employee placed on administrative leave may be subject to the following guidelines:
(a) Under such circumstances, an employee placed on administrative leave shall continue to receive regular pay and benefits pending the imposition of any discipline

(b) An employee placed on administrative leave may be required by a supervisor or Command officer to relinquish any badge, departmental identification, assigned weapon(s) and any other departmental equipment

(c) An employee placed on administrative leave may be ordered to refrain from taking any action as a departmental employee or in an official capacity. The employee shall be required to continue to comply with all policies and lawful orders of a supervisor

(d) An employee placed on administrative leave may be temporarily reassigned to a different shift (generally normal business hours) during the pendency of the investigation and the employee may be required to remain available for contact at all times during such shift and report as ordered

(e) It shall be the responsibility of the assigning supervisor to promptly notify the employee's Division Commander or On Call Commander and the Chief of Police

(f) At such time as any employee placed on administrative leave is returned to full and regular duty, the employee shall be returned to their regularly assigned shift with all badges, identification card and other equipment returned

1020.5 ALLEGATIONS OF CRIMINAL CONDUCT

Where an employee of this department is accused of potential criminal conduct, a separate supervisor or assigned detective shall be assigned to investigate the criminal allegations apart from any administrative investigation. Any separate administrative investigation may parallel a criminal investigation. The Chief of Police shall be notified as soon as practical when an employee is formally accused of criminal conduct. In the event of serious criminal allegations, the Chief of Police may request a criminal investigation by an outside law enforcement agency.

An employee accused of criminal conduct shall be provided with all rights and privileges afforded to a civilian and the employee may not be administratively ordered to provide any information to a criminal detective.

No information or evidence administratively coerced from an employee may be provided to a criminal detective.

Any law enforcement agency is authorized to release information concerning the arrest or detention of a peace officer, which has not led to a conviction, however, no disciplinary action, other than paid administrative leave shall be taken against the accused employee based solely on an arrest or crime report (Labor Code § 432.7(b)). An independent administrative investigation shall be conducted based upon the allegations in the report in accordance with department policy.

1020.6 ADMINISTRATIVE INVESTIGATION OF COMPLAINT

Whether conducted by a supervisor or an assigned member of the Professional Standards Division, the following procedures shall be followed with regard to the accused employee(s):
Personnel Complaint Procedure

(a) Interviews of accused employees shall be conducted during reasonable hours and, if the employee is off-duty, the employee shall be compensated (Government Code § 3303(a)).

(b) No more than two interviewers may ask questions of an accused employee (Government Code § 3303(b)).

(c) Prior to any interview, an employee shall be informed of the nature of the investigation (Government Code § 3303(c)).

(d) All interviews shall be for a reasonable period and the employee's personal needs shall be accommodated (Government Code § 3303(d)).

(e) No employee shall be subjected to offensive or threatening language, nor shall any promises, rewards or other inducements be used to obtain answers. Any employee refusing to answer questions directly related to the investigation may be ordered to answer questions administratively or be subject to discipline for insubordination. Nothing administratively ordered may be provided to a criminal investigator (Government Code § 3303(e)).

(f) Absent circumstances preventing it, the interviewer should record all interviews of employees and witnesses. The employee may also record the interview. If the employee has been previously interviewed, a copy of that recorded interview shall be provided to the employee prior to any subsequent interview (Government Code § 3303(g)).

(g) If the allegations involve potential criminal conduct, the employee shall be advised of his/her Constitutional rights pursuant to Lybarger. This admonishment shall be given administratively whether or not the employee was advised of these rights during any separate criminal investigation. (Government Code § 3303(h)).

(h) All employees subjected to interviews that could result in punitive action shall have the right to have an uninvolved representative present during the interview. However, in order to maintain the integrity of each individual employee’s statement, involved employees shall not consult or meet with a representative or attorney collectively or in groups prior to being interviewed (Government Code § 3303(i)).

(i) All employees shall provide complete and truthful responses to questions posed during interviews.

(j) No employee may be compelled to submit to a polygraph examination, nor shall any refusal to submit to such examination be mentioned in any investigation (Government Code § 3307).

1020.6.1 ADMINISTRATIVE SEARCHES
An employee of this department may be administratively ordered to submit to a blood, breath, or urine test for alcohol and drugs under any of the following circumstances:
Personnel Complaint Procedure

- When the employee, whether on or off-duty, is involved in a shooting or police related death.
- When the employee is involved in an injury or fatal accident while on duty.
- When the employee is involved in an injury or fatal accident while operating any City owned vehicle whether on or off-duty.
- When the employee is found to be exhibiting objective symptoms of intoxication or drug influence while on duty.

The use of compelled testing results shall be restricted to the administrative investigation.

Any employee may be compelled to disclose personal financial information pursuant to proper legal process; if such information tends to indicate a conflict of interest with official duties, or, if the employee is assigned to or being considered for a special assignment with a potential for bribes (Government Code § 3308).

Employees shall have no expectation of privacy when using telephones, computers, radios or other communications provided by the Department.

Assigned lockers and storage spaces may only be administratively searched in the employee's presence, with the employee's consent, with a valid search warrant or where the employee has been given reasonable notice that the search will take place (Government Code § 3309).

All other departmentally assigned areas (e.g., desks, office space, assigned vehicles) may be administratively searched by a supervisor, in the presence of an uninvolved witness, for non-investigative purposes. (e.g., obtaining a needed report or radio). An investigative search of such areas shall only be conducted upon a reasonable suspicion that official misconduct is involved.

1020.6.2 ADMINISTRATIVE INVESTIGATION FORMAT
Investigations of personnel complaints shall be detailed, complete and essentially follow this format:

COMPLAINANT- Name, address, and phone number

INVOLVED OFFICER(S) OR EMPLOYEES:

NATURE OF COMPLAINT - provide a very brief summary of the facts giving rise to the investigation.

POLICE REPORT NUMBER:

WITNESSES:

BACKGROUND - include the identity of the employee(s), the identity of the assigned investigator(s), the initial date and source of the complaint.

INVESTIGATION:

REPORT REVIEW:
STATEMENTS:

DISPATCH/PHONE TAPES:

SUMMARY OF ALLEGATIONS - list the allegations separately (including applicable policy sections) with a very brief summary of the evidence relevant to each allegation. A separate recommended FINDING should be provided for each allegation.

EVIDENCE AS TO EACH ALLEGATION - each allegation should be set forth with the details of the evidence applicable to each allegation provided, including comprehensive summaries of employee and witness statements. Other evidence related to each allegation should also be detailed in this section.

CONCLUSION - a recommendation regarding further action or disposition should be provided.

EXHIBITS - a separate list of exhibits (tapes, photos, documents, etc.) should be attached to the report.

1020.7 DISPOSITION OF PERSONNEL COMPLAINTS
Each allegation shall be classified with one of the following dispositions:

Unfounded - When the investigation discloses that the alleged act(s) did not occur or did not involve department personnel. Complaints which are determined to be frivolous will fall within the classification of unfounded (Penal Code § 832.5(c)).

Exonerated - When the investigation discloses that the alleged act occurred, but that the act was justified, lawful and/or proper.

Not Sustained - When the investigation discloses that there is insufficient evidence to sustain the complaint or fully exonerate the employee.

Sustained - When the investigation discloses sufficient evidence to establish that the act occurred and that it constituted misconduct.

No Finding - The complaining party and/or witness fails to cooperate after the investigation has commenced; the complainant withdraws the complaint; or the complainant is no longer available.

If an investigation discloses misconduct or improper job performance which was not alleged in the original complaint, the investigator shall take appropriate action with regard to any additional allegations.

1020.8 COMPLETION OF INVESTIGATIONS
Every investigator or supervisor assigned to investigate a personnel complaint or other alleged misconduct shall proceed with due diligence in an effort to complete the investigation within one year from the date of discovery by an individual authorized to initiate an investigation. In the event that an investigation cannot be completed within one year of discovery, the assigned investigator or supervisor shall ensure that an extension or delay is warranted within the exceptions set forth in Government Code § 3304(d) or Government Code § 3508.1. If the nature of the allegations
dictate that confidentiality is necessary to maintain the integrity of the investigation, the involved employee(s) need not be notified of the pending investigation unless and until the employee is interviewed or formally charged within one year of discovery.

Upon completion, the report should be forwarded through the chain of command to the Division Commander of the involved employee(s).

Once received, the Chief of Police may accept or modify the classification and recommendation for disciplinary action contained in the report.

Within 30 days of the final review by the Chief of Police, written notice of the findings shall be sent to the complaining party. This notice shall indicate the findings, however, will not disclose the amount of discipline, if any imposed. The complaining party should also be provided with a copy of his/her own original complaint (Penal Code § 832.7).

Any complaining party who is not satisfied with the findings of the Department concerning their complaint may contact the Chief of Police to discuss the matter further.

1020.8.1 CONFIDENTIALITY OF PERSONNEL FILES
All investigations of personnel complaints shall be considered confidential peace officer personnel files. The contents of such files shall not be revealed to other than the involved employee or authorized personnel except pursuant to lawful process.

In the event that an accused employee (or the representative of such employee) knowingly makes false representations regarding any internal investigation and such false representations are communicated to any media source, the Department may disclose sufficient information from the employee's personnel file to refute such false representations (Penal Code § 832.5).

All formal personnel complaints shall be maintained for a period of no less than five years. (Penal Code § 832.5) All non-citizen (e.g., those that originate internally) initiated complaints shall be maintained no less than two years (Government Code § 34090 et seq.).

Sustained complaints shall be maintained in the employee's personnel file. Complaints which are unfounded, exonerated or not sustained shall be maintained by the Captain apart from the employee's personnel file.
Overtime Payment Requests

1021.1 PURPOSE AND SCOPE
It is the policy of the Department to compensate non-exempt salaried employees who work authorized overtime either by payment of wages as agreed and in effect through the Memorandum of Understanding (MOU), or by the allowance of accrual of compensatory time off. In order to qualify for either, the employee must complete and submit a Request for Overtime Payment as soon as practical after overtime is worked.

1021.1.1 DEPARTMENT POLICY
Because of the nature of police work, and the specific needs of the Department, a degree of flexibility concerning overtime policies must be maintained.

Non-exempt employees are not authorized to volunteer work time to the Department. All requests to work overtime shall be approved in advance by a supervisor. If circumstances do not permit prior approval, then approval shall be sought as soon as practical during the overtime shift and in no case later than the end of shift in which the overtime is worked.

Short periods of work at the end of the normal duty day (e.g., less than one hour in duration) may be handled unofficially between the supervisor and the employee by flexing a subsequent shift schedule to compensate for the time worked rather than by submitting requests for overtime payments. If the supervisor authorizes or directs the employee to complete a form for such a period, the employee shall comply.

The individual employee may request compensatory time in lieu of receiving overtime payment, however, the employee may not exceed 480 hours of compensatory time.

1021.2 REQUEST FOR OVERTIME PAYMENT FORMS
Employees shall submit all overtime payment request forms for verification by their immediate supervisor and then forward them to Administration as soon as practical. Failure to submit a request for overtime payment in a timely manner may result in a denial of compensation.

1021.2.1 EMPLOYEES RESPONSIBILITY
Employees shall complete the requests immediately after working the overtime and turn them in to their immediate supervisor or the Watch Commander. Employees submitting overtime cards for on-call pay when off duty shall submit cards to the Watch Commander the first day after returning for work.

1021.2.2 SUPERVISORS RESPONSIBILITY
The supervisor who verifies the overtime earned shall verify that the overtime was worked before approving the request.

After the entry has been made on the employee’s time card, the overtime payment request form is forwarded to the employee's Division Commander for final approval.
Overtime Payment Requests

1021.2.3 DIVISION COMMANDERS RESPONSIBILITY
Division Commanders, after approving payment, will then forward the form to the Chief of Police for review.

1021.3 ACCOUNTING FOR OVERTIME WORKED
Employees are to record the actual time worked in an overtime status. In some cases, the Memorandum of Understanding provides that a minimum number of hours will be paid, (e.g., two hours for Court, four hours for outside overtime). The supervisor will enter the actual time worked.

1021.3.1 ACCOUNTING FOR PORTIONS OF AN HOUR
When accounting for less than a full hour, time worked shall be rounded up to the nearest quarter of an hour as indicated by the following chart:

<table>
<thead>
<tr>
<th>TIME WORKED</th>
<th>INDICATE ON CARD</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 to 15 minutes</td>
<td>.25 hour</td>
</tr>
<tr>
<td>16 to 30 minutes</td>
<td>.50 hour</td>
</tr>
<tr>
<td>31 to 45 minutes</td>
<td>.75 hour</td>
</tr>
<tr>
<td>46 to 60 minutes</td>
<td>1.0 hour</td>
</tr>
</tbody>
</table>

1021.3.2 VARIATION IN TIME REPORTED
Where two or more employees are assigned to the same activity, case, or court trial and the amount of time for which payment is requested varies from that reported by the other officer, the Watch Commander or other approving supervisor may require each employee to include the reason for the variation on the back of the overtime payment request.
Outside Employment

1022.1 PURPOSE AND SCOPE
In order to avoid actual or perceived conflicts of interest for departmental employees engaging in outside employment, all employees shall obtain written approval from the Chief of Police prior to engaging in any outside employment. Approval of outside employment shall be at the discretion of the Chief of Police in accordance with the provisions of this policy.

1022.1.1 DEFINITIONS
Outside Employment - Any member of this department who receives wages, compensation or other consideration of value from another employer, organization or individual not affiliated directly with this department for services, product(s) or benefits rendered. For purposes of this section, the definition of outside employment includes those employees who are self-employed and not affiliated directly with this department for services, product(s) or benefits rendered.

Outside Overtime - Any member of this department who performs duties or services on behalf of an outside organization, company, or individual within this jurisdiction. Such outside overtime shall be requested and scheduled directly through this department so that the Department may be reimbursed for the cost of wages and benefits.

1022.2 OBTAINING APPROVAL
No member of this department may engage in any outside employment without first obtaining prior written approval of the Chief of Police. Failure to obtain prior written approval for outside employment or engaging in outside employment prohibited by this policy may lead to disciplinary action.

In order to obtain approval for outside employment, the employee must complete an Outside Employment Application which shall be submitted to the employee’s immediate supervisor. The application will then be forwarded through channels to the Chief of Police for consideration.

If approved, the employee will be provided with a copy of the approved permit. Unless otherwise indicated in writing on the approved permit, a permit will be valid through the end of the calendar year in which the permit is approved. Any employee seeking to renew a permit shall submit a new Outside Employment Application in a timely manner.

Any employee seeking approval of outside employment, whose request has been denied, shall be provided with a written reason for the denial of the application at the time of the denial (Penal Code § 70(e)(3)).

1022.2.1 APPEAL OF DENIAL OF OUTSIDE EMPLOYMENT
If an employee’s Outside Employment Application is denied or withdrawn by the Department, the employee may file a written notice of appeal to the Chief of Police within ten days of the date of denial.
Outside Employment

If the employee’s appeal is denied, the employee may file a grievance pursuant to the procedure set forth in the current Memorandum of Understanding (MOU).

1022.2.2 REVOCATION/SUSPENSION OF OUTSIDE EMPLOYMENT PERMITS
Any outside employment permit may be revoked or suspended under the following circumstances:

(a) Should an employee’s performance at this department decline to a point where it is evaluated by a supervisor as needing improvement to reach an overall level of competency, the Chief of Police may, at his or her discretion, revoke any previously approved outside employment permit(s). That revocation will stand until the employee's performance has been reestablished at a satisfactory level and his/her supervisor recommends reinstatement of the outside employment permit

(b) Suspension or revocation of a previously approved outside employment permit may be included as a term or condition of sustained discipline

(c) If, at any time during the term of a valid outside employment permit, an employee’s conduct or outside employment conflicts with the provisions of department policy, the permit may be suspended or revoked

(d) When an employee is unable to perform at a full duty capacity due to an injury or other condition, any previously approved outside employment permit may be subject to similar restrictions as those applicable to the employee's full time duties until the employee has returned to a full duty status

1022.3 PROHIBITED OUTSIDE EMPLOYMENT
Consistent with the provisions of Government Code § 1126, the Department expressly reserves the right to deny any Outside Employment Application submitted by an employee seeking to engage in any activity which:

(a) Involves the employee’s use of departmental time, facilities, equipment or supplies, the use of the Department badge, uniform, prestige or influence for private gain or advantage

(b) Involves the employee’s receipt or acceptance of any money or other consideration from anyone other than this department for the performance of an act which the employee, if not performing such act, would be required or expected to render in the regular course or hours of employment or as a part of the employee’s duties as a member of this department

(c) Involves the performance of an act in other than the employee’s capacity as a member of this department that may later be subject directly or indirectly to the control, inspection, review, audit or enforcement of any other employee of this department

(d) Involves time demands that would render performance of the employee’s duties for this department less efficient
Outside Employment

1022.3.1 OUTSIDE SECURITY AND PEACE OFFICER EMPLOYMENT
Consistent with the provisions of Penal Code § 70, and because it would further create a potential conflict of interest, no member of this department may engage in any outside or secondary employment as a private security guard, private investigator or other similar private security position.

Any private organization, entity or individual seeking special services for security or traffic control from members of this department must submit a written request to the Chief of Police in advance of the desired service. Such outside extra duty overtime assignments will be assigned, monitored and paid through the Department.

(a) The applicant will be required to enter into an indemnification agreement prior to approval.
(b) The applicant will further be required to provide for the compensation and full benefits of all employees requested for such outside security services.
(c) Should such a request be approved, any employee working outside overtime shall be subject to the following conditions:
   1. The officer(s) shall wear the departmental uniform/identification.
   2. The officer(s) shall be subject to the rules and regulations of this department.
   3. No officer may engage in such outside employment during or at the site of a strike, lockout, picket, or other physical demonstration of a labor dispute.
   4. Compensation for such approved outside security services shall be pursuant to normal overtime procedures.
   5. Outside security services shall not be subject to the collective bargaining process.
   6. No officer may engage in outside employment as a peace officer for any other public agency without prior written authorization of the Chief of Police.

1022.3.2 OUTSIDE OVERTIME ARREST AND REPORTING PROCEDURE
Any employee making an arrest or taking other official police action while working in an approved outside overtime assignment shall be required to complete all related reports in a timely manner pursuant to department policy. Time spent on the completion of such reports shall be considered incidental to the outside overtime assignment.

1022.3.3 SPECIAL RESTRICTIONS
Except for emergency situations or with prior authorization from the Division Commander, undercover officers or officers assigned to covert operations shall not be eligible to work overtime or other assignments in a uniformed or other capacity which might reasonably disclose the officer’s law enforcement status.
Outside Employment

1022.4 DEPARTMENT RESOURCES
Employees are prohibited from using any department equipment or resources in the course of or for the benefit of any outside employment. This shall include the prohibition of access to official records or databases of this department or other agencies through the use of the employee’s position with this department.

1022.4.1 REVIEW OF FINANCIAL RECORDS
Employees approved for outside employment expressly agree that their personal financial records may be requested and reviewed/audited for potential conflict of interest (Government Code § 3308; Government Code § 1126). Prior to providing written approval for an outside employment position, the Department may request that an employee provide his/her personal financial records for review/audit in order to determine whether a conflict of interest exists. Failure of the employee to provide the requested personal financial records could result in denial of the off-duty work permit. If, after approving a request for an outside employment position, the Department becomes concerned that a conflict of interest exists based on a financial reason, the Department may request that the employee provide his/her personal financial records for review/audit. If the employee elects not to provide the requested records, his/her off-duty work permit may be revoked pursuant to the Revocation/Suspension of Outside Employment Permits section of this policy.

1022.5 CHANGES IN OUTSIDE EMPLOYMENT STATUS
If an employee terminates his or her outside employment during the period of a valid permit, the employee shall promptly submit written notification of such termination to the Chief of Police through channels. Any subsequent request for renewal or continued outside employment must thereafter be processed and approved through normal procedures set forth in this policy.

Employees shall also promptly submit in writing to the Chief of Police any material changes in outside employment including any change in the number of hours, type of duties, or demands of any approved outside employment. Employees who are uncertain whether a change in outside employment is material are advised to report the change.

1022.6 OUTSIDE EMPLOYMENT WHILE ON DISABILITY
Department members engaged in outside employment who are placed on disability leave or modified/light-duty shall inform their immediate supervisor in writing within five days whether or not they intend to continue to engage in such outside employment while on such leave or light-duty status. The immediate supervisor shall review the duties of the outside employment along with any related doctor’s orders, and make a recommendation to the Chief of Police whether such outside employment should continue.

In the event the Chief of Police determines that the outside employment should be discontinued or if the employee fails to promptly notify his/her supervisor of his/her intentions regarding their work permit, a notice of revocation of the member's permit will be forwarded to the involved employee, and a copy attached to the original work permit.

Criteria for revoking the outside employment permit include, but are not limited to, the following:
Outside Employment

(a) The outside employment is medically detrimental to the total recovery of the disabled member, as indicated by the City's professional medical advisors.

(b) The outside employment performed requires the same or similar physical ability, as would be required of an on-duty member.

(c) The employee's failure to make timely notice of their intentions to their supervisor.

When the disabled member returns to full duty with the Pleasant Hill Police Department, a request (in writing) may be made to the Chief of Police to restore the permit.
On Duty Injuries

1023.1 PURPOSE AND SCOPE
The purpose of this policy is to provide for the reporting of on-duty injuries or deaths to the Human Resources Department, ensure proper medical attention is received, and document the circumstances of the incident.

1023.2 WORKER'S COMPENSATION FUND REPORTS

1023.2.1 INJURIES REQUIRING MEDICAL CARE
All work related injuries requiring medical care must be reported to the Human Resources Department and a claim form shall be provided to the injured employee within 24 hours from the time the injury was discovered, excluding weekends and holidays.

1023.2.2 ACCIDENT DEFINED
Accident - is defined as any occurrence from which bodily injury or property damage may result, regardless of whether any injury or damage actually does occur (e.g., exposure where no immediate injury is apparent).

1023.2.3 EMPLOYEE'S RESPONSIBILITY
Any employee sustaining any work-related injury or involved in any accident while on duty shall report such injury or accident as soon as practical to his/her supervisor.

Any employee observing or learning of a potentially hazardous condition is to promptly report the condition to his/her immediate supervisor.

Any employee sustaining a work-related injury that requires relief from duty is required to be examined/treated by a doctor. The employee may be required to provide a clearance letter for return to work from the examining physician.

An injured employee will call the City's contract medical evaluator/provider, Company Nurse at 1 877 740 0417; the staff at Company nurse may refer the employee for treatment.

An injured employee shall report as soon as practical to his/her immediate supervisor the medical findings concerning the injury and the extent and duration of any work restrictions if they are known.

Employees suffering grave injury during the course of duty, which requires emergency treatment, will receive such treatment and reporting requirements will be handled by supervisors as appropriate and necessary.

1023.2.4 SUPERVISOR'S RESPONSIBILITY
A supervisor learning of any work-related injury or accident will facilitate a call by the employee to the Company Nurse hotline. If the injury requires treatment, the supervisor will complete the forms as outlined below.
On Duty Injuries

Injuries which don't require treatment will be noted via memorandum to the Division Commander. All injuries, regardless of the necessity of treatment, will be reported by supervisors to Division Commanders and to the On Call Commander if appropriate.

Injury report forms are maintained in the Training Manager's Office.

When an accident or injury is reported initially on the Supervisor's Report of Injury form and the employee subsequently requires professional medical care, the State of California Employer's Report of Occupational Injury or Illness form shall then be completed. The injured employee shall also sign the form in the appropriate location.

Every injured employee must be provided with an Employee's Claim for Workers' Compensation Benefits Form (DWC-1) within 24 hours, regardless of the nature of illness or injury.

Copies of any reports documenting the accident or injury should be forwarded to the Division Commander as soon as they are completed.

1023.2.5 DIVISION COMMANDER RESPONSIBILITY
The Division Commander receiving a report of a work-related accident or injury should review the report for accuracy and determine what additional action should be taken. The report shall then be forwarded to the Chief of Police.

1023.2.6 CHIEF OF POLICE RESPONSIBILITY
The Chief of Police shall review and forward copies of the report to the Human Resources Department. Any copies of the report and any related documents retained by the Department shall be filed in the employee's confidential medical file and not in the employee's personnel file (see Policy Manual § 1026).

1023.3 INJURY NOT REQUIRING MEDICAL ATTENTION
Those injuries not requiring medical attention shall be recorded in a memorandum or in a police report. Memorandums should be forwarded to the employee's medical file. Memorandums or reports will indicate the employee did not desire medical attention at the time of the report.

Notification will also be forwarded to a Division Commander. Patrol Division supervisors may employ the Supervisor's Daily Report for notification.

1023.4 SETTLEMENT OF INJURY CLAIMS
Occasionally, an employee's work-related injury results from the negligent or wrongful acts of another, for which the employee, the City, and/or other insurers are entitled to recover civilly. To ensure that the City's interests are protected and that the employee has the benefit of the City's experience in these matters, the following procedure is to be followed:

1023.4.1 EMPLOYEE TO REPORT INITIAL CONTACTS
When an employee sustains work-related injuries caused by another person and is then approached by such person or an agent, insurance company, or attorney and offered a settlement of claims, that employee shall take no action other than to make a written report of this contact to
On Duty Injuries

his/her supervisor as soon as possible. Supervisors will forward such information to their Division Commander.

1023.4.2 NO SETTLEMENT WITHOUT PRIOR APPROVAL
In no case shall the employee accept a settlement without first providing such written notice to the Chief of Police. The purpose of such notice to permit the City to determine whether or not the offered settlement will affect any claim the City may have regarding payment for damage(s) to equipment or reimbursement for wages against the person who caused the accident or injury and to protect the City's right of subrogation, while ensuring that the employee's rights to receive compensation for injuries are not affected.
Personal Appearance Standards

1024.1 PURPOSE AND SCOPE
In order to project uniformity and neutrality toward the public and other members of the department, employees shall maintain their personal hygiene and appearance to project a professional image appropriate for this department and for their assignment.

1024.2 GROOMING STANDARDS
Unless otherwise stated and because deviations from these standards could present officer safety issues, the following appearance standards shall apply to all employees, except those whose current assignment would deem them not appropriate, and where the Chief of Police has granted exception.

1024.2.1 HAIR
Hairstyles of all members shall be neat in appearance. For male sworn members, hair must not extend below the top edge of the uniform collar while assuming a normal stance.

For female sworn members, hair must be no longer than the horizontal level of the bottom of the uniform patch when the employee is standing erect, worn up or in a tightly wrapped braid or ponytail.

1024.2.2 MUSTACHES
A short and neatly trimmed mustache may be worn. Mustaches shall not extend below the corners of the mouth or beyond the natural hairline of the upper lip.

1024.2.3 SIDEBURNS
Sideburns shall not extend below the bottom of the outer ear opening (the top of the earlobes) and shall be trimmed and neat.

1024.2.4 FACIAL HAIR
Facial hair other than sideburns, mustaches and eyebrows shall not be worn, unless authorized by the Chief of Police or his or her designee.

1024.2.5 FINGERNAILS
Fingernails extending beyond the tip of the finger can pose a safety hazard to officers or others. For this reason, fingernails of sworn personnel shall be trimmed so that no point of the nail extends beyond the tip of the finger.

1024.2.6 JEWELRY AND ACCESSORIES
No jewelry or personal ornaments shall be worn by officers on any part of the uniform or equipment, except those authorized within this manual. Jewelry, if worn around the neck, shall not be visible above the shirt collar.
Personal Appearance Standards

Earrings shall not be worn by uniformed sworn members, detectives or special assignment personnel without permission of the Chief of Police or his/her designee. Stud earrings will be the only earrings considered for approval by sworn personnel.

Only one ring may be worn on each hand of the employee while on-duty.

1024.3 TATTOOS
While on duty or representing the Department in any official capacity, tattoos will not be visible.

At no time while on duty or representing the Department in any official capacity, shall any offensive tattoo or body art be visible (examples of offensive tattoos would include, but not be limited to those which depict racial, sexual, discriminatory, gang related, or obscene language).

1024.4 BODY PIERCING OR ALTERATION
Body piercing or alteration to any area of the body visible in any authorized uniform or attire that is a deviation from normal anatomical features and which is not medically required is prohibited. Such body alteration includes, but is not limited to:

(a) Tongue splitting or piercing.
(b) The complete or transdermal implantation of any material other than hair replacement.
(c) Abnormal shaping of the ears, eyes, nose or teeth
(d) Branding or scarification.
Uniform Regulations

1025.1 PURPOSE AND SCOPE
The uniform policy of the Pleasant Hill Police Department is established to ensure that uniformed officers will be readily identifiable to the public through the proper use and wearing of department uniforms. Employees should also refer to the following associated Policy Manual sections:

Section 700 - Department Owned and Personal Property
Section 1024 - Body Armor
Section 1044 - Grooming Standards

The Uniform and Equipment Specifications manual is maintained and periodically updated by the Chief of Police or his/her designee. That manual should be consulted regarding authorized equipment and uniform specifications.

1025.2 WEARING AND CONDITION OF UNIFORM AND EQUIPMENT
Police employees wear the uniform to be identified as the law enforcement authority. The uniform also serves an equally important purpose to identify the wearer as a source of assistance in an emergency, crisis or other time of need.

(a) Uniform and equipment shall be maintained in a serviceable condition and shall be ready at all times for immediate use. Uniforms shall be neat, clean, and appear professionally pressed.

(b) All sworn officers of this department shall possess and maintain at all times, a serviceable uniform and the necessary equipment to perform uniformed field duty.

(c) Personnel shall wear only the uniform specified for their rank and assignment.

(d)

(e) All supervisors will perform periodic inspections of their personnel to ensure conformance to these regulations.

(f) Civilian attire shall not be worn in combination with any distinguishable part of the uniform.

(g) Uniforms are only to be worn while on duty, while in transit to or from work, for court, or at other official department functions or events.

(h) If the uniform is worn while in transit, except to and from work in a Department vehicle an outer garment shall be worn over the uniform shirt so as not to bring attention to the employee while he/she is off-duty.

(i) Employees are not to purchase or drink alcoholic beverages while wearing any part of the department uniform.
Uniform Regulations

(j) Mirrored sunglasses will not be worn with any Department uniform.

(k) Visible jewelry, other than those items listed below, shall not be worn with the uniform unless specifically authorized by the Chief of Police or the authorized designee.

1. Wrist watch

2. Wedding ring(s), class ring, or other ring of tasteful design. A maximum of one ring/set may be worn on each hand

3. Medical alert bracelet

1025.2.1 DEPARTMENT ISSUED IDENTIFICATION
The Department issues each employee an official department identification card bearing the employee’s name, identifying information and photo likeness. All employees shall be in possession of their department issued identification card at all times while on duty or when carrying a concealed weapon.

(a) Whenever on duty or acting in an official capacity representing the department, employees shall display their department issued identification in a courteous manner to any person upon request and as soon as practical.

(b) Officers working specialized assignments may be excused from the possession and display requirements when directed by their Division Commander.

1025.3 UNIFORM CLASSES

1025.3.1 CLASS A UNIFORM
The Class A uniform is to be worn on special occasions such as funerals, graduations, ceremonies, or as directed. The Class A uniform is required for all sworn personnel. The Class A uniform includes the standard issue uniform with:

(a) Dress (Ike) jacket

(b) Long sleeve shirt with tie

(c) Polished shoes or boots

(d) Dress hat (Air Force style) with hat piece

(e) Leather or synthetic black basketweave duty belt

(f) Leather or synthetic holster and sidearm

(g) Additional duty gear is acceptable but not required

(h) Badge and nameplate on dress jacket. Additional badge and nameplate may be worn on the uniform shirt.

1025.3.2 CLASS B UNIFORM
All officers will possess and maintain a serviceable Class B uniform at all times.
Uniform Regulations

(a) Duty jacket (optional)
(b) The long or short sleeve shirt may be worn with the collar open. No tie is required
(c) A white, navy blue or black crew neck t-shirt must be worn with the uniform
(d) All shirt buttons must remain buttoned except for the last button at the neck
(e) Black shoes or boots
(f) Leather, synthetic leather, or nylon duty gear and related equipment
(g) Handgun
(h) Ball cap or dress hat (optional)

1025.3.3 SPECIALIZED UNIT UNIFORMS
The Chief of Police may authorize special uniforms to be worn by officers in specialized units such as Canine Team, SWAT, Bicycle Patrol, Motor Officers and other specialized assignments.

1025.4 INSIGNIA AND PATCHES
(a) Assignment Insignias - Assignment insignias, (SWAT, FTO, etc.) may be worn as designated by the Chief of Police.
(b) Flag Pin - A flag pin may be worn, centered above the nameplate.
(c) Rank Insignia - The designated insignia indicating the employee's rank must be worn at all times while in uniform. The Chief of Police may authorize exceptions. See below for further information on insignias.
(d) Sworn personnel who have been awareded a "10851" pin from the AAA Auto Theft Award program sponsored by the CHP, or a "23152" pin awarded by MADD or the Avoid the 25 program are authorized to wear the insignias above the name tag.

1025.4.1 MOURNING BADGE
Employees may wear a black mourning band across the uniform badge whenever a law enforcement officer is killed in the line of duty. The following mourning periods will be observed:

(a) An officer of this department - From the time of death until notified by the Chief of Police.
(b) An officer from this or an adjacent county - From the time of death until midnight on the day of the funeral.
(c) Funeral attendee - While attending the funeral of an out of region fallen officer.
(d) National Peace Officers Memorial Day (May 15th) - From 0001 hours until 2359 hours.
(e) As directed by the Chief of Police.
1025.5 CIVILIAN ATTIRE
There are assignments within the Department that do not require the wearing of a uniform because recognition and authority are not essential to their function. There are also assignments in which the wearing of civilian attire is necessary.

(a) All employees shall wear clothing that fits properly, is clean and free of stains, and not damaged or excessively worn.

(b) All male administrative, investigative and support personnel who elect to wear civilian clothing to work shall wear button style shirts with a collar, slacks or suits that are moderate in style.

(c) All female administrative, investigative, and support personnel who elect to wear civilian clothes to work shall wear dresses, slacks, shirts, blouses, or suits which are moderate in style.

(d) The following items shall not be worn on duty:
   1. T-shirt alone
   2. Open toed sandals or thongs
   3. Swimsuit, tube tops, or halter-tops
   4. Spandex type pants or see-through clothing
   5. Distasteful printed slogans, buttons or pins

(e) Variations from this order are allowed at the discretion of the Chief of Police or designee when the employee's assignment or current task is not conducive to the wearing of such clothing.

(f) No item of civilian attire may be worn on duty that would adversely affect the reputation of the Pleasant Hill Police Department or the morale of the employees.

1025.6 POLITICAL ACTIVITIES, ENDORSEMENTS, AND ADVERTISEMENTS
Unless specifically authorized by the Chief of Police, Pleasant Hill Police Department employees may not wear any part of the uniform, be photographed wearing any part of the uniform, utilize a department badge, patch or other official insignia, or cause to be posted, published, or displayed, the image of another employee, or identify himself/herself as an employee of the Pleasant Hill Police Department to do any of the following (Government Code §§ 3206 and 3302):

(a) Endorse, support, oppose, or contradict any political campaign or initiative.

(b) Endorse, support, oppose, or contradict any social issue, cause, or religion.

(c) Endorse, support, or oppose, any product, service, company or other commercial entity.

(d) Appear in any commercial, social, or non-profit publication, or any motion picture, film, video, public broadcast, or any website.
1025.7  OPTIONAL EQUIPMENT - MAINTENANCE, AND REPLACEMENT

(a) Any of the items listed as optional or not issue by the Department shall be purchased totally at the expense of the employee. No part of the purchase cost shall be offset by the Department for the cost of providing the Department issued item.

(b) Maintenance of optional items shall be the financial responsibility of the purchasing employee. For example, repairs due to normal wear and tear.

(c) Replacement of items listed in this order as optional shall be done as follows:

   1. When the item is no longer functional because of normal wear and tear, the employee bears the full cost of replacement.

   2. When the item is no longer functional because of damage in the course of the employee's duties, it shall be replaced following the procedures for the replacement of damaged personal property (see the Department Owned and Personal Property Policy).

1025.7.1  RETIREE BADGES

The Chief of Police may issue identification in the form of a badge, insignia, emblem, device, label, certificate, card or writing that clearly states the person has honorably retired from the Pleasant Hill Police Department. This identification is separate and distinct from the identification authorized by Penal Code § 25455 and referenced in the Retired Officer CCW Endorsement Policy in this manual.

A badge issued to an honorably retired peace officer that is not affixed to a plaque or other memento will have the words “Honorably Retired” clearly visible on its face. A retiree shall be instructed that any such badge will remain the property of the Pleasant Hill Police Department and will be revoked in the event of misuse or abuse (Penal Code § 538d).

1025.8  UNAUTHORIZED UNIFORMS, EQUIPMENT AND ACCESSORIES

Pleasant Hill Police Department employees may not wear any uniform item, accessory or attachment unless specifically authorized in this policy or by the Chief of Police or designee.

Pleasant Hill Police Department employees may not use or carry any safety item, tool or other piece of equipment unless specifically authorized in the this policy or by the Chief of Police or designee.

1025.8.1  UNIFORM REPLACEMENT

Replacement or repair of uniforms and equipment authorized by the Department, damaged in the line of duty, will be based upon a prorated amount from the depreciation schedule below. An examination of the equipment and the facts surrounding the incident will be made by supervisory personnel, a recommendation will then be forwarded to the appropriate Division Commander. When it is determined that an employee's negligence has caused the damage to the uniform or equipment, reimbursement for loss will not be granted.
To file a claim for articles damaged in the line of duty, employees are required to complete the Pleasant Hill Voucher for Reimbursement, including a report of the circumstances surrounding the damage. To qualify for reimbursement under this program, the circumstances must be those that are related to the employee's scope of employment and beyond his/her control. This would include those situations requiring emergency action, as opposed to those situations of a routine task in which the employee has the time and the opportunity to exercise reasonable and prudent care. Items not required by reason of the job, such as jewelry or other adornments, would not qualify for reimbursement.

To assist in determining depreciation, purchase receipts are helpful when submitting claims. Court action against persons responsible for the damage should be taken into consideration when possible.

**Depreciation Schedule:**

<table>
<thead>
<tr>
<th>Item</th>
<th>Life Expectancy</th>
</tr>
</thead>
<tbody>
<tr>
<td>Uniform Hat</td>
<td>10 years</td>
</tr>
<tr>
<td>Uniform Cap</td>
<td>3 years</td>
</tr>
<tr>
<td>Uniform Jacket (foul weather)</td>
<td>5 years</td>
</tr>
<tr>
<td>Uniform Jacket (dress)</td>
<td>10 years</td>
</tr>
<tr>
<td>Uniform Trousers/Pants</td>
<td>3 years</td>
</tr>
<tr>
<td>Uniform Shirt</td>
<td>3 years</td>
</tr>
<tr>
<td>Uniform Necktie</td>
<td>3 years</td>
</tr>
<tr>
<td>Uniform Shoes/Boots ($200 limit)</td>
<td>2 years</td>
</tr>
<tr>
<td>Uniform Raincoat/Pants</td>
<td>5 years</td>
</tr>
<tr>
<td>Civilian Raincoat ($200 limit)</td>
<td>2 years</td>
</tr>
<tr>
<td>Civilian Sport Coat ($250 limit)</td>
<td>3 years</td>
</tr>
<tr>
<td>Civilian Trousers/Pants ($100 limit)</td>
<td>2 years</td>
</tr>
<tr>
<td>Civilian Suit ($400 limit)</td>
<td>3 years</td>
</tr>
<tr>
<td>Civilian Shirt/Blouse ($50 limit)</td>
<td>2 years</td>
</tr>
<tr>
<td>Civilian Necktie ($40 limit)</td>
<td>1 year</td>
</tr>
<tr>
<td>Civilian Shoes ($150 limit)</td>
<td>3 years</td>
</tr>
<tr>
<td>Watch ($50 limit)</td>
<td>5 years</td>
</tr>
<tr>
<td>Duty Weapons, Sidearm (current fair market value)</td>
<td>Unlimited</td>
</tr>
<tr>
<td>Leather Duty Items</td>
<td>10 years</td>
</tr>
<tr>
<td>Glasses (prescription only)</td>
<td>2 years</td>
</tr>
<tr>
<td>Sunglasses ($50 limit)</td>
<td>1 year</td>
</tr>
<tr>
<td>Knife, Folding or Pocket ($25 limit)</td>
<td>Unlimited</td>
</tr>
<tr>
<td>Duty Sweater ($30 limit)</td>
<td>3 years</td>
</tr>
</tbody>
</table>
Other items not specifically listed above will be evaluated on the individual merits of the circumstances leading to the damage or loss.

1025.8.2 DUTY GEAR
All duty gear will be maintained in serviceable condition. It will not be discolored, checked, or cracked. All duty gear will be of one style or another and not mixed, i.e., some basketweave and some nylon duty gear.

Sworn personnel may wear black basketweave leather or synthetic leather gear with hidden fasteners or black snaps or black nylon duty gear with hidden fasteners or black snaps.

Duty or Gun Belt - "Sam Browne" style without shoulder strap loop holders.

Trouser Belt - Black Velcro leather belt, not less than one inch in width, or other black belt.

Holster - Every officer assigned to Patrol Division operations will wear the official holster authorized by the Department as follows:

Black leather basket weave or black nylon to match the duty belt. The Department-issued holster for officers hired after December 16, 2002, is the Safariland model 070. The Patrol Division Commander may authorize the issuance of a different model of holster. Additionally, officers electing to equip handguns with lighting systems may wear other holsters. The preferred security level for a holster is "III". "Cross-draw" holsters are prohibited for uniformed personnel.

(a) Plainclothes officers may carry shoulder holsters or other safe, concealable holsters. The Investigations Division Commander may disallow any type of holster.

(b) All holsters shall be made for the specific weapon the officer wishes to carry in it.

Ammunition Pouches & Extra Duty Rounds Uniformed officers shall carry at least two (2) high capacity or law enforcement only magazines in the duty pouches. Exposed ammunition is prohibited. Plainclothes assignment officers may wear ammunition pouches of their choice.

Baton Holder - The baton ring shall be black plastic or metal, and the snaps shall be black.

Key Holder and Ring - The following items of equipment are authorized to be carried on the key ring and holder, if worn:

(a) Department and vehicle key ring.

(b) Handcuff key.

(c) Other keys needed by the officer within the scope of his/her job function.

Handcuffs - Officers will be equipped with handcuffs which shall be carried on the duty belt in a carrier. Uniformed personnel will not wear handcuffs which are visible. At least one handcuff will have a chain. Hinged handcuffs are authorized.

(a) Sworn personnel are authorized to carry their choice of one handcuff case, two separate handcuff cases, or a double handcuff case capable of storing two sets of handcuffs.
Uniform Regulations

1. The carrying of handcuffs by Investigators is optional unless engaged in pre-planned enforcement duties.

2. Off duty officers are not required to possess or wear handcuffs.

Handcuff Case—All uniformed sworn personnel shall carry at least one handcuff case when wearing the duty gun belt. See above.

Belt Slide Loops (Keepers)—Belt keepers may be used to keep the duty belt in place.

   (a) Keepers are not required but the duty and trouser belts must be parallel while being worn. The duty belt will not be worn at angle so the trouser belt is visible.

Chemical Agent Aerosol and Case—All officers shall carry "OC" chemical agent in an approved carrying case when assigned to uniform patrol duty. See also section 308 regarding OC carry requirements.

Portable Radio Case—Portable radio cases shall be either leather (black basket weave design), nylon, plastic or metal, made to closely match the color and style of duty gear carried on the belt.

Flashlight Holders—If worn on the duty belt, flashlight holders shall be either black leather with basket weave design or black nylon, plastic or metal, made to closely match the color and style of duty gear carried on the belt.

Taser Holder—The Department issued Taser holder will be worn by uniformed personnel in accordance with section 309.

Other Items—Any other equipment case or holder worn on the duty belt (i.e., knife case or glasses case) shall be of black leather in the basket weave design or black nylon, made to closely match the color and style of other duty gear carried on the belt. Cell phone holders may be black plastic.

Suspenders: Suspenders are authorized equipment but are not issued or required. Suspenders will be black or dark navy and made of nylon or similar material; suspenders will generally match and not contrast with the duty gear and uniform. However, nylon suspenders may be worn with either basketweave or nylon duty gear.

Non Sworn Personnel Duty Gear—Non sworn personnel may wear the following duty gear items with their uniforms: trouser belt, OC holder and OC spray, key holder, radio holder, and flashlight holder. See above for specifications.

1025.8.3 DESCRIPTION OF UNIFORM
See Policy Manual § 1046.31 and 1046.32 for a description of the Class A uniform and Class B uniform. See below for a description of the BDU uniform and provisions for use.

Reserve Officers will comply with sworn police officer provisions regarding uniforms. The Reserve Officer uniform is the same as a sworn police officer except for the badge. Reserve Officers are not required to possess a Class A uniform. Reserve Officer uniforms and gear will be issued per the direction of the Reserve Program Coordinator and Patrol Division Commander.
Uniform Regulations

The shade of blue for sworn uniforms with the exception of the BDU uniform is "LAPD Blue"; BDU uniforms are black. The Patrol Duty Uniform (PDU), manufactured by 5.11 Tactical, Inc, is "Midnight Navy".

The braid on the Class A hat for Officers, Corporals and Sergeants is silver. The braid for Command level personnel is gold. The braid on the Class A jacket sleeves for all ranks below the Command level rank is royal blue. The braid on the Class A jacket sleeves for Command level personnel is gold.

Gold stars may be worn above the left sleeve braid for all ranks to signify five (5) years of full time police officer (see §§ 830.1 or 830.2 Penal Code) service. The stars shall be aligned horizontally.

Officers assigned to ride motorcycles on any occasion where the dress uniform has been ordered, shall substitute breeches and motorcycle boots for the uniform trousers and shoes.

(a) **Duty Uniform** - When on regular uniform duty, officers may wear either a long or short sleeved shirt.

1. Officers working on solo motorcycles shall wear breeches and motorcycle boots. A black leather motorcycle jacket designed for police use may be worn.

2. **Class A Jacket** - The sworn personnel Class A jacket is an "Eisenhower" style jacket. A tie must be worn when wearing the dress jacket. The metal nameplate and badge will be worn with the Class A jacket. Turtleneck t-shirts or dickeys will not be worn with the dress jacket. Every sworn officer will possess a Class A jacket.

3. **Duty Jacket** - The duty jacket will be black waist length jacket with a synthetic collar designed for police service. The metal badge shall be worn on the exterior of the jacket. Cloth replica badges may be substituted for the actual metal badge but the replica must be approved by the Chief of Police or designee. Cloth name tags are authorized for the duty jacket. Shoulder patches shall be worn.

4. **Uniform Shirt (Long Sleeve)** - The uniform long sleeve duty and dress shirt will be made for police service and manufactured of wool, Dacron/wool, or Dacron/rayon polyester blend (wash and wear). Uniform shirts will have "military creases". A concealable zipper may be used to fasten the shirt. However, the zipper must be concealed and not change the appearance of the shirt. Dot snaps or Velcro may be placed at the corner of the pockets to suit individual desires. Cuffs on long sleeve shirts must be fastened at all times. Cuffs will not be rolled up.

(a) See also "BDU" or utility uniform.

5. **Uniform Shirt (Short Sleeve)** - The uniform short sleeve duty shirt requirements are identical to that of the long sleeve shirt except for the sleeves.
Uniform Regulations

(a) See also “BDU” or utility uniform.

6. **Uniform Trousers**-The uniform trousers will be cut to prevailing military style and length. They shall be medium-size at the knee and bottom with no cuff, and shall be properly fitted. They shall have a two-inch waistband, two side pockets and two hip pockets. There shall also be at least one flashlight pocket. The trousers shall be manufactured of wool, Dacron/wool or a Dacron/rayon polyester blend (wash and wear) material, matching that of the uniform shirt. Trousers will not be pleated. See also the BDU uniform below.

7. **Motorcycle Officer Breeches**-The duty breeches for all officers assigned to motorcycle duty manufactured of wool, Dacron/wool or a dacron/rayon polyester blend (wash and wear). They shall have two top style pockets in front, two hip pockets and flaps having button closures, and at least one flashlight pocket. The breeches shall have a full cavalry style reinforced seat and knee which is constructed on one piece. The knee strapping shall extend across the knee to the side. The leg bottoms shall be finished with zippers attached in a concealed style.

8. **Undershirt**-The only undershirts authorized to be worn on duty are white, black, or navy blue. Undershirts will be worn with the uniform except unless specifically authorized by a Division Commander. Logos or portions of logos will not be visible beneath the body armor. Shirt sleeves will not protrude beyond short sleeve uniform shirts. Long sleeve tee shirt or turtleneck will not be worn beneath a short sleeve shirt.

9. **Long sleeved shirt**-This shirt may be worn with the regulation necktie or with an open collar. If it is worn with an open collar, one of the following must be worn:

   (a) White, black, or navy blue crew neck undershirt.

   (b) Navy blue or black turtleneck undershirt. No writing will be visible on the turtleneck.

   (c) Navy blue or black dickey. No writing will be visible on the dickey.

   (d) The sleeves of an undershirt shall not extend below the sleeve of the uniform shirt.

**Necktie**-The uniform tie will be black and manufactured of wool or wool/Dacron blend polyester. The tie shall be a “breakaway” style knotted in a Windsor knot at the throat.

(a) **Socks**-All personnel assigned to uniformed duty shall wear navy blue or black socks with no design. Officers wearing footwear which completely conceals their socks are exempted from this regulation and may wear any style or color socks.

(b) **Shoes and Boots**-All footwear worn with the Department uniform shall be constructed of material that has a smooth texture and that is capable of
Uniform Regulations

maintaining a black polished shine at the toe. The footwear will have center lacing but firefighter style center zippers are acceptable. The footwear must be free of any decorative punch work and/or ornamentation, and the toe of the footwear must be free of any construction stitching other than that found on military regulation boots. All boot hardware must be black and of a muted finish. The soles of the footwear must be constructed of a material that allows for comfort and safety for the employee during all types of weather, while walking and/or running. Ripple or crepe soles (rough textured rubber soles, white to brown in color) are prohibited. Leather soled shoes are not permitted for personnel involved in field duties. Western style boots (high heels, pointed toes) are not permitted.

(a) Boots, 8 to 12 inches high, are approved for uniformed duty wear, providing the uniform trouser bottom meets the instep and the body of the boot meets the specifications above regarding the color, toe, style, etc., for shoes.

(b) Officers assigned to motorcycle duty shall wear regulation field boots with black calf, plain toe, laced over the instep not more than eight (8) inches, and laced at the upper outside not more than four (4) inches.

(c) All shoes or boots worn while on-duty shall not have any metal or plastic objects, commonly known as "taps", attached to them.

(d) All unformed employees will assure that the footwear worn with the uniform is polished to the degree that it is clean and presents a positive image to the public.

(c) Uniform Cap-A black, all fabric, baseball style cap may be worn at any time. The cap will not be worn during appearances in a courtroom.

(a) The cap will have the appropriate sized Department patch on its front center. The bill may be moderately curved, but it will not be curved upward. Wearing of this cap is optional.

(d) Gloves-Gloves, when worn, shall be black leather or a black synthetic material and shall have no ornamentation other than finger ribbing. Sap gloves are prohibited. The dress uniform glove is white cotton and will be worn only when so ordered by the Office of the Chief of Police or a Division Commander for specified occasions, and only when the dress uniform is worn.

(e) Rain Jacket-Rain gear shall be black, or reversible yellow/black or similar high visibility contrasting colors and shall be similar to a urethane coated nylon. Rain gear shall be single breasted, cut to fingertip length and shall have two side slits, one on each side, to permit access to the officer's gun and portable radio. The rain jacket must have a badge holder in the center of the left breast
area. Shoulder patches are optional on the rainjacket. Hooded rainjackets are permitted. A replica cloth badge maybe substituted for the metal badge but the cloth replica must be approved by the Chief of Police or designee.

(f) **Rain Pants**—Rain pants must conform to the color and material specified for the rain jacket above.

(g) **Wearing of BDU/PDU (Class B)** All sworn officers assigned to the Night Shift may wear the approved BDU while on duty. Night Shift officers who start work early or hold over (due to court, overtime coverage, etc.) may wear the BDU during those assigned hours as well. All sworn officers may wear the PDU uniform at any time except as part of a Class A uniform.

(a) All sworn officers assigned to any shift may wear the approved BDU during inclement weather. Inclement weather means rain or the high likelihood of rain during the shift. The Watch Commander's decision will be final as to whether the BDU is approved to wear for each shift.

(b) Officers must affix their assigned metal badge to the BDU and PDU. Officers may also wear a metal name tag in lieu of an embroidered name tag with either the BDU or PDU. Sewn on military style name tags are not authorized for the PDU. Officers may elect to have an embroidered name for the PDU in 1/2 " block letters in light grey (Madeira Thread Company/ color code:1615).

(c) BDU and PDU uniforms will be worn pressed and well maintained. BDU and PDU uniforms will not be bloused except for K9 handlers.

(d) The following BDU is authorized: Pant: Blauer, Style 8810, black; or Flying Cross, Style UD49310, black. Shirt: Blauer, Style 8701, black (long or short sleeve); or Flying Cross, Style 35R5810, black, long sleeve; or Flying Cross, Style 85R5810, black, short sleeve. The following BDU is also authorized: Transcon Black BDU: Shirt model number 701-JAB, and Pant model number 701-PSAB. The Transcon brand uniform shirt and pant must be worn together and not mixed with any of the other brands. The shirts are authorized to have zip-off sleeves as long as the zippers are covered.

(e) The following PDU is authorized: Pant: 5.11. Tactical "Men's model number 74326 class B PDU" or "Women's model number 64303 class B PDU"; Shirt: 5.11 Tactical "Men's shirt model 72344 long sleeve twill class A PDU" or "Women's shirt model number 62064 long sleeve twill class A" note: Class A is a manufacturer designation only. These shirts are not authorized for PHPD class A wear; Shirt: 5.11 Tactical "Men's shirt model number 71183 in short sleeve twill Class A PDU" or "Women's shirt model number 61158 short sleeve twill Class A PDU" note: Class A is a
Uniform Regulations

manufacturer's designation only. All PDU garments are in "Midnight Navy" color; manufacturer color code: 750.

(f) Effective August 1, 2013 the above BDU uniforms (Blauer, Flying Cross, and Transcon brands) will no longer be authorized for use by any officers except for K9 handlers; the PDU will replace the BDU as the authorized class B uniform alternative.

(g) K9 handlers may elect to continue wearing the authorized BDU but also may wear the PDU.

1025.8.4 PLAINCLOTHES INVESTIGATOR'S DRESS STANDARDS
Sworn personnel assigned to the Investigations Division will wear clothing consistent with that of a professional business office. Detailed information on these regulations is contained in the Investigations Division Chapter.

1025.8.5 DRESS STANDARD FOR COURT APPEARANCES
Personnel appearing in court shall wear either the authorized duty uniform or appropriate business attire. Business attire for male employees includes suit coat and tie or sport coat and tie, appropriate matching dress pants and shoes. Female employee business attire includes business dresses, blouses and skirts, or business suits and shoes.

1025.8.6 EMBLEMS, INSIGNIA AND BADGES

(a) Cap Device-The official Department issued cap device shall be worn with the standard uniform cap. It may be covered by a rain cover during inclement weather.

(b) Badge-When in uniform, all officers shall wear the official badge currently authorized for them. The badge shall be attached to the badge holder on the outermost garment worn by the officer and shall be clearly visible at all times unless to do so would expose the officer to immediate and unusual danger, or if ordered/authorized to conceal the badge by a supervising officer. Cloth replica badges may be affixed to raingear.

(c) Name Tag-All uniformed employees will wear a Department issued name tag at all times, unless specifically excused by a Division Commander.

1. All members of this Department will wear the name badge centered over the right-hand pocket of their uniform shirts. When wearing the dress jacket, the name badge will be worn on the jacket above the right pocket. The name badge shall have two clutch fasteners or a horizontal pin and be manufactured of polished gold color metal with black lettering. The lettering shall consist of the full last name of the officer wearing the name badge. The first initial of the officer shall also be included on the name badge. These name badges will be issued to each officer by the Department. The Chief of Police may authorize the employee to include his or her first name in lieu of first initial on the name badge.
(d) **I.D. Card**—Unless authorized by their Division Commander, all officers of this Department shall have their Department issued identification card in their possession at all times when on duty and when carrying a concealed weapon.

(e) **Insignia of Rank**—The following insignia have been designated to identify the various ranks or assignments with the Department and shall be worn in the manner prescribed herein.

1. **Chief of Police**—Four one-inch, five pointed gold stars worn one on each shoulder of the uniform dress jacket or standard duty jacket (optional sewn on). Additionally, four 5/8 inch five-pointed stars shall be worn on each collar of the uniform.

2. **Captain**—Two sets of two parallel gold bars, one-inch in length and 3/8 inch in width, worn one on each shoulder strap of the uniform dress jacket or standard duty jacket, (optional sewn on), approximately 3/4 inch from the shoulder seam. Additionally, one set of 3/4 inch parallel gold color bars approximately 5/16 inch in width, with the two bars approximately 1/4 inch apart shall be worn one on each collar, 3/4 inch from the front of the collar and midway between the top and bottom of the collar of the uniform shirt.

3. **Lieutenant**—Two sets of single gold color bars, approximately one-inch in length and 3/8 inch in width, shall be worn one on each shoulder of the uniform dress jacket or standard duty jacket, (optional sewn on), parallel to and approximately 3/4 inch from the shoulder seam. Additionally, two sets of single gold bars, approximately one inch in length and 3/8 inch in width, shall be worn, one on each collar of the uniform shirt, centered midway between the top and the bottom of the collar, approximately 3/4 inch from the front of the collar.

4. **Sergeant**—Two sets of cloth, three stripe chevrons, CHP style, royal blue background with French stitch gold stripes, shall be worn, sewn one on each sleeve of the uniform dress jacket and the standard duty jacket, approximately 5-1/2 inches from the shoulder seam. The uniform shirt shall have identical style cloth chevrons sewn on each sleeve in the same manner as that prescribed for the uniform jackets.

5. **Corporal**—The Corporal insignia will be identical to that of the Sergeant except that the insignia will consist of two stripes rather than three.

6. **Service Insignia (Optional)**—An insignia indicating length of service shall consist of blue and gold stripes for all sworn personnel. The stripe shall be embroidered with a blue center surrounded by a gold border. The border shall be 1/16 inch wide while the blue center shall be 1/4 inch wide and 1-1/2 inch long. Personnel are authorized one service stripe for each five years of full-time sworn law enforcement experience.
7. **Shoulder Patch**- The Department shoulder patch will be worn one on each sleeve of the dress jacket, duty jacket, and all uniform shirts. The top of the patch shall be 1/2 inch below the shoulder seam of the garment. The patch shall be sewn with thread which matches the color of the patch and shall not be cross-stitched.

(a) Officers assigned to motorcycle traffic enforcement may wear the winged wheel emblem. It shall be centered 1-1/2 inches below the shoulder patch on each sleeve. Sewing regulations correspond to those for the shoulder patch.

(f) Master Officer, Corporal, Sergeant- Personnel qualifying for the Master designation per the current MOU will wear the following insignia: Master Sergeant and Corporal-same insignia as above but with a rocker below the chevrons; Master Officer- a signal chevron with a rocker below the chevron.

1025.8.7 **DEPARTMENT ISSUED ITEMS**

The following items will be issued by the Department to all authorized, entry level personnel hired after December 16, 2002. Lateral entry officers may receive all or a portion of these items. Brands of items may be substituted.

(a) Duty belt (Gould and Goodrich brand)

(b) Trouser belt (Gould and Goodrich brand)

(c) Safariland model 070 holster

(d) Key holder (Aker brand "silent key")

(e) Double magazine holder (Safariland brand)

(f) Firearm (Sig Sauer P226R, serial # _________________)

(g) Three "Law Enforcement" magazines for above weapon

(h) OC holder (Aker)

(i) OC (Def Tec MK-4 or other approved brand)

(j) Handcuff cases (2) (Gould and Goodrich)

(k) Handcuffs (2) Peerless brand, serial #

(l) Handcuff key (wide grip)

(m) Radio holder (leather)

(n) Four keepers (Safariland hidden snap)

(o) Straight baton (Aetco brand standard wooden)

(p) Sidehandle baton (Aetco brand non swivel)
Uniform Regulations

(q) Sidehandle baton ring (metal ring)
(r) Flashlight (Streamlight SL-20X, serial #)
(s) Flashlight charger and sleeve (Streamlight)
(t) Citation holder (Saunders brand, metal, large form size)
(u) Raincoat (Galls brand, Orange/Black reversible)
(v) Penal Code
(w) CPR mask
(x) Department key
(y) ID card
(z) Badge
(aa) ID Kit and lock
(ab) Duffle bag
(ad) Locker (locker # and combination______________)
(ae) One Class A uniform: dress jacket, longsleeve wool shirt, one pair of wool trousers, tie
(af) Body Armor (American Body Armor- Extreme model, level IIIA
(ag) Camera (Canon BF10, serial #
(ah) Muni code, abridged
(ai) Pocket CPR mask
(jj) Portable Radio and charger (model and serial #________________________)
(ak) Respirator
(al) Riot Helmet and Face Shield

1025.8.8 MISCELLANEOUS APPAREL AND EQUIPMENT REGULATIONS
No insignia, medals, or other non-authorized uniform items, except pens/pencils, shall be attached to or visible upon the uniform unless authorized by the Office of the Chief of Police.

The Chief of Police may establish a program authorizing insignia or pins to be awarded for acts of valor, meritorious service, etc. Such pins or uniform devices will be worn or displayed at the discretion of the Chief of Police.

Pockets of uniform shirts, pants and jackets shall be buttoned, if they were manufactured with buttons. Pockets of any uniform item of apparel shall not be excessively filled so as to create unsightly bulges or a non-professional appearance. The pocket lining of uniform pants shall not be visible when the wearer is in a normal standing position.
Uniform Regulations

Cuffs on long sleeve shirts shall be buttoned whenever worn on duty and in public view.

(a) **Sweaters**—Sworn personnel, while working inside the Police Facility, are authorized to wear a black or navy blue, plain design, long sleeved cardigan style sweater, made of wool, cotton, synthetic material or a blend. Sweaters must be button closure with between three (3) and five (5) buttons. Buttons must be navy blue or black. Sweaters may have one (1) or two (2) side pockets. Badges or Department patches are not to be worn on the sweater.

(b) **Military Press**—Uniform shirts and pants shall be maintained with a standard "military" press.

(c) **Duty Knife**—Uniformed personnel may carry a "pocket" or folding blade knife. Knives may be carried in an appropriate holder on the duty belt securely or fastened in a pocket. The knife must be concealed. Holders must conceal the knife. Locking type blades are recommended. Maximum blade length on folding knives is 4". The knife must be lawful to possess.

(d) **Department Key(s)**—Sworn personnel of the respective ranks and/or assignment will be issued the following key(s), access cards, or equivalents:

1. Police Officer 4AA key
2. Detective (while assigned to that position) 3AA key
3. Corporal 2AA key
4. Sergeant 2AA key
5. Lieutenant 1AA key
6. Captain A-MMA key
7. Chief of Police G-MMA key

**1025.9 DRESS STANDARD FOR TRAINING**

Department personnel assigned to training, including on an overtime basis, will comply with the following requirements:

(a) Department personnel completing training during their regularly scheduled work hours may wear their duty uniform or regular attire specific to their assignment.

(b) Department personnel assigned to a training class, on or off site, may wear gender appropriated business attire, casual business attire, or attire consistent with the following requirements:

1. Shorts will not be worn.
2. Collared shirts will be worn; tee shirts are unacceptable.
Uniform Regulations

3. Attire for male personnel will include shirt and pants; overalls or one piece BDU type suits are unacceptable.

4. Flip flops, slides, open toed sandals, or other similar footwear are not acceptable for training involving manipulative skills.

5. Male personnel opting to wear business attire for training classes are not required to wear ties.

(c) Following are exceptions to the above requirements:

1. Personnel participating in manipulative skills training may wear tee shirts provided this attire is specifically approved in the class announcement. Manipulative skills training includes firearm training.

2. Personnel assigned to both manipulative skills and static or classroom training on the same day are not required to change attire appropriate for the classroom training.

3. Department grooming standards will be adhered to during all training classes by all personnel.
Uniform Specifications for Non-Sworn Personnel

1026.1 PURPOSE AND SCOPE
This policy provides guidelines for all non-sworn personnel who are required to wear a prescribed uniform while on duty with this Department.

This policy will also address certain requirements for non-sworn personnel who are not subject to working shift work. Damage to uniforms, civilian clothing, equipment and personal items which occurs while the employee is on duty, is also covered in this policy.

1026.2 POLICY
All non-sworn personnel shall possess the prescribed uniform and equipment in order to perform their duties at all times. Personnel assigned to duty wherein a special uniform is required shall possess that prescribed uniform at all times as well.

Sufficient uniforms and equipment shall be maintained in a clean, serviceable condition so as to be ready for immediate use at all times.

All leather gear and equipment shall be kept dyed and shined. It shall be replaced if it becomes cracked, checked, or worn out.

1026.3 UNIFORM REPLACEMENT
Replacement or repair of uniforms and equipment authorized by the Department, damaged in the line of duty, will be based upon a prorated amount from the depreciation schedule below. An examination of the equipment and the facts surrounding the incident will be made by supervisory personnel and a recommendation will then be forwarded to the appropriate Division Commander. When it is determined that an employee's negligence has caused the damage to the uniform or equipment, reimbursement for loss will not be granted.

To file a claim for articles damaged in the line of duty, employees are required to complete the Pleasant Hill Voucher for Reimbursement, including a report of the circumstances surrounding the damage. To qualify for reimbursement under this program, the circumstances must be those that are related to the employee's scope of employment and beyond his/her control. This would include those situations requiring emergency action, as opposed to those situations of a routine task in which the employee has the time and the opportunity to exercise reasonable and prudent care. Items not required by reason of the job, such as jewelry or other adornments, would not qualify for reimbursement.

To assist in determining depreciation, purchase receipts are helpful when submitting claims. Court action against persons responsible for the damage should be taken into consideration when possible.

1026.3.1 DEPRECIATION SCHEDULE

<table>
<thead>
<tr>
<th>Item</th>
<th>Life Expectancy</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>
**Uniform Specifications for Non-Sworn Personnel**

<table>
<thead>
<tr>
<th>Item</th>
<th>Replacement Period</th>
</tr>
</thead>
<tbody>
<tr>
<td>Uniform Hat (Baseball Style)</td>
<td>3 Years</td>
</tr>
<tr>
<td>Uniform Jacket (Foul Weather)</td>
<td>5 Years</td>
</tr>
<tr>
<td>Uniform Trousers</td>
<td>3 Years</td>
</tr>
<tr>
<td>Uniform Pants</td>
<td>3 Years</td>
</tr>
<tr>
<td>Uniform Shirt</td>
<td>3 Years</td>
</tr>
<tr>
<td>Uniform Necktie</td>
<td>1 Year</td>
</tr>
<tr>
<td>Uniform Shoes/Boots</td>
<td>3 Years</td>
</tr>
<tr>
<td>Watch ($50.00 Limit)</td>
<td>5 Years</td>
</tr>
<tr>
<td>Leather Duty Items</td>
<td>10 Years</td>
</tr>
<tr>
<td>Glasses (Prescription Only)</td>
<td>2 Years</td>
</tr>
<tr>
<td>Sunglasses ($50.00 Limit)</td>
<td>1 Year</td>
</tr>
<tr>
<td>Knife, Folding or Pocket ($25.00 Limit)</td>
<td>Unlimited</td>
</tr>
<tr>
<td>Sweater ($30.00 Limit)</td>
<td>3 Years</td>
</tr>
</tbody>
</table>

Other items not specifically listed above will be evaluated on the individual merits of the circumstances leading to the damage or loss.

**1026.4 WEARING OF UNIFORMS**

All personnel, regardless of assignment, shall wear the prescribed uniform and personal equipment designated for their assignment during their tour of duty, unless their assignment specifies plainclothes.

When the wearing of the uniform or other equipment is not practical because of work conditions, and when prior exemption has been granted by the Chief of Police, certain personnel may be exempted from wearing those items.

Requests for special permission to be exempted from wearing the prescribed uniform shall be made to the Division Commander.

**1026.4.1 MIXED CLOTHING**

Non-sworn personnel shall wear only the uniform specified for their particular assignment. Civilian clothing shall not be worn with any distinguishable part of the uniform, with the exception of uniform trousers, when in public view.

**1026.4.2 LEATHER GEAR**

(a) **Uniform Belt** - Black leather belt, not less than one inch in width, with a basket weave design. Belt can have either Velcro or a brass buckle. This belt is to be worn with uniform trousers by Community Service Officers. Uniform pants worn by Dispatchers and other non-sworn personnel may be worn without the uniform belt, if the belt loops are removed from the pants. If not, belts must be no less than one-half inch in width, black leather with a silver or brass buckle.
(b) **Key Holder and Ring** - The key holder (optional equipment), if worn, shall be black leather with basket weave design, with a black metal clip or a brass clip. The following items of equipment are authorized to be carried on the key ring and holder:

1. Department and vehicle key ring.
2. Other keys needed by the employee within the scope of his/her job function.
3. Chemical Agent Aerosol and Case.
4. Non-sworn personnel may carry authorized "OC" in an approved carrying case.

1026.4.3 **DESCRIPTION OF UNIFORM**

(a) **Dress Uniform**

1. **All Non-Sworn Personnel** - Professional Staff personnel shall wear the white long-sleeve uniform shirt with black pants (pleated or plain front). Female personnel will wear a black cross-tie. Male personnel will wear the standard "breakaway" black tie. All personnel will wear appropriate socks and black shoes/boots. Department badge and name badge will be worn by all personnel.

(b) **Duty Uniform**

1. **Dispatcher I and II, Support Services Supervisor** - The above classified personnel will wear the white uniform shirt, long or short sleeve, black pleated front or plain front pants (or skirt for females), appropriate socks, and black shoes/boots.

   (a) Personnel when not wearing a tie shall wear a white crew neck undershirt, white mock turtleneck or white turtleneck.

   (b) The duty pant for sworn officers (non BDU) is an authorized pant for all non sworn personnel; see section 1046 regarding duty pant specifications.

   (c) Dispatchers may wear a plain white shirt beneath the Department approved sweater. If this attire is chosen, the sweater must be worn at all times over the shirt.

   (d) Dispatchers may wear a white polo shirt with an embroidered Department patch and employee title and last name.

   (e) The Support Services Supervisor may wear business attire per the direction of the Division Commander.

2. **Community Service Officers** - CSO's assigned to duties inside the Police Facility will wear the same duty uniform as described above for Dispatch personnel except the CSO duty shirt is grey.
(a) CSO's assigned to field duties will wear the same shirt as described above, but will substitute the black pants with the duty pant worn by sworn personnel (non BDU).

(b) CSOs assigned to station duties only may wear a white or grey polo shirt with an embroidered Department patch and employee title and last name.

3. **IT Specialist** - The IT specialist wear a docker style pant with a pullover polo style shirt displaying the Department patch.

4. **Police Chaplain** - Police chaplains will wear gear as authorized by the Chaplain Coordinator and Chief of Police or designee.

(c) **Optional Clothing Items, Specifications and Descriptions**

(a) Skirt

(b) Vest - Executive Apparel ladies V-neck model/style number 2100, black in color.

(c) Blazer - Executive Apparel ladies single-breasted blazer, polyester or Dacron/wool blend, model/style numbers 2000, 2025.

(d) Sweaters - Four styles of sweaters are allowed for wear by Professional Staff personnel. Three must have the small Department patch attached to the left front where a badge would normally be worn. They must also have the employee name badge attached on the right front. The third sweater, a V-neck pullover, may be worn with the patch or the badge. All will have black buttons:

(a) San Francisco Knitting Mills, model/style 5510, black, zip-up.

(b) San Francisco Knitting Mills, model/style 5600, black, cardigan.

(c) San Francisco Knitting Mills, model/style 5955, black, V-neck.

(d) Land’s End, model/style 3947-6433, black, cotton-knit, cardigan sweater. The zip-up and cardigan style sweater must be worn with the uniform shirt. The V-neck pullover sweater may be worn with a white mock turtleneck or white turtleneck undergarment without the shirt. The V-neck can be worn with or without epaulets. The Blauer brand V-neck "military style" is acceptable in place of the SFKM 5955 listed above.

(e) All Professional Staff personnel shall wear the prescribed uniform on duty unless excused by their Division Commander.

(e) Duty Jacket - The duty jacket shall be black waist length and designed for police use with a synthetic type collar. The shoulder patches will be worn on the jacket. The metal badge will be affixed to the jacket but a cloth replica badge is acceptable. A cloth name tag may be worn.
Uniform Specifications for Non-Sworn Personnel

(f) Alternative Outerwear- Support Services Division personnel assigned to duties inside the police facility may wear plain black hooded sweatshirts (plain or zip front).

(g) Necktie-Non-sworn male personnel's standard uniform necktie shall be black in color, and manufactured of wool or a wool/Dacron blend polyester material. The necktie shall be a "breakaway" style, knotted in a Windsor knot at the throat. The necktie may be worn when wearing a long sleeve shirt, coat or jacket.
   (a) Non-sworn female personnel may wear a black cross-tie. The cross-tie may be worn when wearing a long sleeve shirt, coat or jacket, and shall be worn with the dress uniform.

(h) Socks/Nylons-Non-sworn personnel shall wear black socks or flesh-colored nylons with no designs. If a high boot is worn and it conceals the socks from view, personnel are authorized to wear any color of socks.

(i) Shoes and Boots-Non-sworn personnel, including those with duties outside of the Police Facility, shall wear a solid black, centered laced shoe or boot. This shoe/boot may be either low or high cut, with a military or plain-tip toe. The shoe/boot shall have a smooth finish and be of a material that provides for a polished appearance. Dye work or other ornamentation, western style, and ripple or crepe soles are expressly forbidden.
   (a) All shoes or boots worn while on-duty shall not have any metal or plastic objects attached to the soles of footwear.

(j) Gloves-Gloves, when worn, shall be black leather or synthetic and shall have no ornamentation other than finger ribbing. The dress uniform glove is white cotton and will be worn only when so ordered by the Office of the Chief of Police for specified occasions, and only when the dress uniform is worn.

(k) Uniform Caps-A black, all fabric, baseball style cap may be worn at any time. The cap will not be worn during appearances in a courtroom.
   (a) The cap will have the appropriate sized Department patch on its front center. The bill may be moderately curved, but it will not be curved upward.
   (b) The wearing of a uniform cap is optional.

(l) Rain Gear-Rain gear for Professional Staff personnel is provided by the Department.

(d) I.D. Cards, Emblems, Insignia and Badges
   1. Identification Card-Unless authorized by their Division Commander, all Professional Staff personnel of this Department shall have their Department issued identification card in their possession at all times when on duty.
Uniform Specifications for Non-Sworn Personnel

2. Badges-Only "authorized" badges, those that meet current Department specifications, may be worn, displayed or carried by on duty personnel. Uniformed personnel shall only wear the appropriate badge for their rank, or other badge as issued by the Administration Division, on their uniform while on duty.

3. Name Badge-All Professional Staff members of this Department shall wear a name badge centered over the right-hand pocket of their uniform shirts. The name badge shall have two clutch fasteners and be manufactured of polished gold or silver color metal with black lettering. The lettering shall consist of the first initial and last name of the employee. The Chief of Police may authorized the first name and last name upon request. These name badges will be issued to each employee by the Department.

4. Shoulder Patch-The Department shoulder patch will be worn on each sleeve of the duty jacket (both light and heavy weight), and all uniform shirts. The top of the patch shall be one-half inch below the shoulder seam of the garment. The patch shall be sewn with thread which matches the color of the patch and shall not be cross-stitched.

5. Service Insignia (optional)-An insignia indicating length of service with the Pleasant Hill Police Department shall consist of a blue and gold stripe signifying five years of full-time service. The stripe shall be embroidered with a blue center surrounded by a gold border. The border shall be 1/16” wide, with the blue center 1/4” wide. The stripe will be 1-1/2” long. The stripe(s) will be worn on the left-hand sleeve of the long sleeve shirt. Service stripes will not be worn on any other Professional Staff uniform garment.

1026.4.4 DEPARTMENT ISSUED ITEMS
The following items will be issued by the Department to all authorized personnel:

(a) Badge.
(b) Cap Piece (Cloth for Baseball Cap).
(c) Name Badge.
(d) Shoulder Patches.
(e) Tie Clasp/Pin.
(f) Department Key(s).
(g) Department Identification Card.
(h) Chemical Agent Aerosol and Case (when approved).
(i) Citation Book Holder (as needed).
Uniform Specifications for Non-Sworn Personnel


1026.4.5 MISCELLANEOUS APPAREL AND EQUIPMENT REGULATIONS

White crew neck undershirts/mock turtlenecks or camisoles shall be worn with uniform shirts. The sleeves of an undershirt shall not extend below the sleeve of the uniform shirt. No markings of any kind on the white undershirt shall be visible through the duty shirt.

No insignia, medals, or other non-authorized uniform items, except pens/pencils, shall be attached to or be visible upon the uniform unless authorized by the Office of the Chief of Police.

Pockets of uniform shirts, pants and jackets shall be buttoned, if they were manufactured with buttons. Pockets of any uniform item of apparel shall not be excessively filled so as to create unsightly bulges or a non-professional appearance. The pocket lining of uniform pants shall not be visible when the wearer is in a normal standing position.

Cuffs on long sleeve shirts shall be buttoned at all times.

Department issued jumpsuits may only be worn on an exception basis, with the approval of the Watch Commander or other Command level officer, and will not be worn for routine patrol assignment.

(a) Military Press - Uniform shirts and pants shall be maintained with a standard "military" press.

(b) Duty Knife - Uniformed personnel may carry a "pocket" or folding blade knife. Knives may be carried in an appropriate holder on the duty belt securely attached to trousers. The knife must be concealed. Holders must conceal the knife. Locking type blades are recommended. Maximum blade length on folding knives is 4".

(c) Department Keys - Non-sworn personnel will be issued a 4AA key and equivalent access card unless by virtue of their job assignment, a different key is necessary.
Department Badges

1027.1 PURPOSE AND SCOPE
The Pleasant Hill Police Department badge and uniform patch as well as the likeness of these items and the name of the Pleasant Hill Police Department are property of the Department and their use shall be restricted as set forth in this policy.

1027.2 POLICY
The uniform badge shall be issued to department members as a symbol of authority and the use and display of departmental badges shall be in strict compliance with this policy. Only authorized badges issued by this department shall be displayed, carried or worn by members while on duty or otherwise acting in an official or authorized capacity.

1027.2.1 FLAT BADGE
Sworn officers, with the approval of the Chief of Policemay be issued a flat badge capable of being carried in a wallet. The use of the flat badge is subject to all the same provisions of departmental policy as the uniform badge.

(a) An officer may sell, exchange, or transfer the flat badge he/she purchased to another officer within the Pleasant Hill Police Department with the written approval of the Chief of Police.

(b) Should the flat badge become lost, damaged, or otherwise removed from the officer's control, he/she shall make the proper notifications as outlined in the Policy Manual 700.

(c) An honorably retired officer may keep his/her flat badge upon retirement per the discretion of the Chief of Police.

(d) Flat badges purchased by the Department will remain the property of the Department upon separation from the Department. Also see section (c) above.

(e) The purchase, carrying or display of a flat badge is not authorized for non-sworn personnel.

1027.2.2 NON-SWORN PERSONNEL
Badges and departmental identification cards issued to non-sworn personnel shall be clearly marked to reflect the position of the assigned employee (e.g. Parking Control, Dispatcher).

(a) Non-sworn personnel shall not display any department badge except as a part of his/her uniform and while on duty, or otherwise acting in an official and authorized capacity.

(b) Non-sworn personnel shall not display any department badge or represent him/herself, on or off duty, in such a manner which would cause a reasonable person to believe that he/she is a sworn peace officer.
1027.2.3 RETIREE UNIFORM BADGE
Upon honorable retirement employees may purchase his/her assigned duty badge for display purposes. It is intended that the duty badge be used only as private memorabilia as other uses of the badge may be unlawful or in violation of this policy.

1027.3 UNAUTHORIZED USE
Except as required for on-duty use by current employees, no badge designed for carry or display in a wallet, badge case or similar holder shall be issued to anyone other than a current or honorably retired peace officer.

Department badges are issued to all sworn employees and Professional Staff uniformed employees for official use only. The department badge, shoulder patch or the likeness thereof, or the department name shall not be used for personal or private reasons including, but not limited to, letters, memoranda, and electronic communications such as electronic mail or web sites and web pages.

The use of the badge, uniform patch and department name for all material (printed matter, products or other items) developed for department use shall be subject to approval by the Chief of Police.

Employees shall not loan his/her department badge or identification card to others and shall not permit the badge or identification card to be reproduced or duplicated.

1027.4 PERMITTED USE BY EMPLOYEE GROUPS
The likeness of the department badge shall not be used without the expressed authorization of the Chief of Police and shall be subject to the following:

(a) The employee associations may use the likeness of the department badge for merchandise and official association business provided they are used in a clear representation of the association and not the Pleasant Hill Police Department. The following modifications shall be included:

1. The text on the upper and lower ribbons is replaced with the name of the employee association.

2. The badge number portion displays the acronym of the employee association.

(b) The likeness of the department badge for endorsement of political candidates shall not be used without the expressed approval of the Chief of Police.
Awards Program

1028.1 PURPOSE AND SCOPE

PURPOSE

The purpose of this general order is to establish an awards program to recognize department employees and citizens who have distinguished themselves by performing some notable act or service in the furtherance of law enforcement and the community.

It is the policy of this department that employees and citizens who distinguish themselves by certain acts shall be recognized by this agency and awarded for their outstanding effort.

1028.1.1 EMPLOYEE AWARDS/LEVELS

A. Medal of Valor

The Medal of Valor may be awarded by the Chief of Police to a department employee who performs an act of heroism in the face of personal injury or risk of life. This award shall be evidenced by:

1. Valor/ Medal and
2. Red/White/Blue beast pin with "Valor" superimposed and
3. Certificate

This citation is the highest award presented by the P.H.P.D. and will be awarded only under the most extraordinary circumstances. Criteria: The employee conspicuously displayed great courage, above and beyond the call of duty, in the face of immediate life-threatening peril and with full knowledge of the risk involved. The act showed professional judgment and did not jeopardize the mission.

B. Medal of Merit

The Medal of Merit may be awarded by the Chief of Police to a department employee who performs an extremely laudable or extraordinary act, and shall be evidenced by:

1. Medal of Merit medal and/or
2. Red/White/Blue breast bar/lapel pin
3. Certificate

This citation is the second-highest award presented by the P.H.P.D. and shall be awarded for heroic lifesaving situations under extraordinary circumstances. Criteria: The employee, while personally in immediate peril, performed an act of exceptional heroism and/or attempted to save the life of another person.

C. Award of Commendation

The Award of Commendation may be awarded by the Chief of Police to a department employee or work element that performs a particularly noteworthy act or service based on determined and intelligent performance.

This award shall be evidenced by:
Awards Program

1. Lapel Pin or
2. Certificate or
3. Letter from Chief of Police

1028.1.2 RECOMMENDATION PROCEDURES
Procedure for Recommendation

A. Recommendations or nominations for an award may be initiated by any employee via
memorandum summarizing the incident causing the recommendation. The memo is to be
forwarded to their supervisor unless the supervisor is the subject of the recommendation, in which
case, it shall be forwarded to that individual's supervisor.

B. The supervisor will forward the recommendation with their recommendation and any supporting
police reports, statements, documents or other pertinent information to the Office of the Chief of
Police for consideration.

C. It shall be the responsibility of the employee's supervisor to verify the information associated
with the recommendation and to provide any additional information which may be requested by
the Office of the Chief of Police.

1028.1.3 COMMUNITY MEMBER AWARDS
A. The Community Member Award for valor may be awarded to a community member who
has performed an exceptional act under emergency conditions. This award may be given to a
community member who has displayed extreme courage and bravery under unusual, complicated
or hazardous circumstances to assist law enforcement or attempted to save a human life. This
award may be evidenced by:

1. Appropriate Valor Award or
2. Letters from Chief of Police and/or Mayor or
3. Certificate

B. The Certificate of Appreciation may be awarded to a citizen or group of community members
deserving special recognition for their unique efforts and contributions to the law enforcement
profession. This award may be evidenced by:

1. Certificate and/or
2. Letter from Chief of Police

The Community Member Awards may be recommended for presentation to a citizen by any
employee of the department. The procedures for recommendation for this award shall conform
to those for employee awards.

1028.1.4 PRESENTATION OF AWARDS
A. Presentation of awards will be made by the Chief of Police or designee.
A. The breast bar may be worn by uniformed personnel centered on the top seam of the left breast pocket on the uniform shirt or Class A jacket.

B. The medal may be worn centered on the top seam of the left breast pocket of the dress jacket. The medal shall be worn only on the Class A uniform.

C. Lapel pins awarded to department employees may be worn on the left lapel of a sport or suit coat.
Employee Speech, Expression and Social Networking

1029.1 PURPOSE AND SCOPE
This policy is intended to address issues associated with employee use of social networking sites and to provide guidelines for the regulation and balancing of employee speech and expression with the needs of the Department.

Nothing in this policy is intended to prohibit or infringe upon any communication, speech or expression that is protected or privileged under law. This includes speech and expression protected under state or federal constitutions as well as labor or other applicable laws. For example, this policy does not limit an employee from speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit, about matters of public concern, such as misconduct or corruption.

Employees are encouraged to consult with their supervisor regarding any questions arising from the application or potential application of this policy.

1029.1.1 APPLICABILITY
This policy applies to all forms of communication including, but not limited to, film, video, print media, public or private speech, use of all Internet services, including the World Wide Web, e-mail, file transfer, remote computer access, news services, social networking, social media, instant messaging, blogs, forums, video and other file-sharing sites.

1029.2 POLICY
Public employees occupy a trusted position in the community, and thus, their statements have the potential to contravene the policies and performance of this department. Due to the nature of the work and influence associated with the law enforcement profession, it is necessary that employees of this department be subject to certain reasonable limitations on their speech and expression. To achieve its mission and efficiently provide service to the public, the Pleasant Hill Police Department will carefully balance the individual employee's rights against the Department's needs and interests when exercising a reasonable degree of control over its employees' speech and expression.

1029.3 SAFETY
Employees should consider carefully the implications of their speech or any other form of expression when using the Internet. Speech and expression that may negatively affect the safety of the Pleasant Hill Police Department employees, such as posting personal information in a public forum, can result in compromising an employee's home address or family ties. Employees should therefore not disseminate or post any information on any forum or medium that could reasonably be anticipated to compromise the safety of any employee, an employee's family or associates.
Examples of the type of information that could reasonably be expected to compromise safety include:

- Disclosing a photograph and name or address of an officer who is working undercover.
- Disclosing the address of a fellow officer.
- Otherwise disclosing where another officer can be located off-duty.

1029.4 PROHIBITED SPEECH, EXPRESSION AND CONDUCT

To meet the Department's safety, performance and public-trust needs, the following is prohibited unless the speech is otherwise protected (for example, an employee speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit, on a matter of public concern):

(a) Speech or expression made pursuant to an official duty that tends to compromise or damage the mission, function, reputation or professionalism of the Pleasant Hill Police Department or its employees.

(b) Speech or expression that, while not made pursuant to an official duty, is significantly linked to, or related to, the Pleasant Hill Police Department and tends to compromise or damage the mission, function, reputation or professionalism of the Pleasant Hill Police Department or its employees.

(c) Speech or expression that could reasonably be foreseen as having a negative impact on the credibility of the employee as a witness. For example, posting statements or expressions to a website that glorify or endorse dishonesty, unlawful discrimination or illegal behavior.

(d) Speech or expression of any form that could reasonably be foreseen as having a negative impact on the safety of the employees of the Department. For example, a statement on a blog that provides specific details as to how and when prisoner transportsations are made could reasonably be foreseen as potentially jeopardizing employees by informing criminals of details that could facilitate an escape or attempted escape.

(e) Speech or expression that is contrary to the canons of the Law Enforcement Code of Ethics as adopted by the Pleasant Hill Police Department.

(f) Use or disclosure, through whatever means, of any information, photograph, video or other recording obtained or accessible as a result of employment with the Department for financial or personal gain, or any disclosure of such materials without the express authorization of the Chief of Police or the authorized designee.

(g) Posting, transmitting or disseminating any photographs, video or audio recordings, likenesses or images of department logos, emblems, uniforms, badges, patches, marked vehicles, equipment or other material that specifically identifies the Pleasant
Employee Speech, Expression and Social Networking

Hill Police Department on any personal or social networking or other website or web page, without the express authorization of the Chief of Police.

(h) Accessing websites for non-authorized purposes, or use of any personal communication device, game device or media device, whether personally or department owned, for personal purposes while on-duty, except in the following circumstances:

1. When brief personal communication may be warranted by the circumstances (e.g., inform family of extended hours).
2. During authorized breaks such usage should be limited as much as practicable to areas out of sight and sound of the public and shall not be disruptive to the work environment.

Employees must take reasonable and prompt action to remove any content, including content posted by others, that is in violation of this policy from any web page or website maintained by the employee (e.g., social or personal website).

1029.4.1 UNAUTHORIZED ENDORSEMENTS AND ADVERTISEMENTS

While employees are not restricted from engaging in the following activities as private citizens or as authorized members of a recognized bargaining unit, employees may not represent the Pleasant Hill Police Department or identify themselves in any way that could be reasonably perceived as representing the Pleasant Hill Police Department in order to do any of the following, unless specifically authorized by the Chief of Police (Government Code § 3206; Government Code § 3302):

(a) Endorse, support, oppose or contradict any political campaign or initiative.
(b) Endorse, support, oppose or contradict any social issue, cause or religion.
(c) Endorse, support or oppose any product, service, company or other commercial entity.
(d) Appear in any commercial, social or nonprofit publication or any motion picture, film, video, public broadcast or on any website.

Additionally, when it can reasonably be construed that an employee, acting in his/her individual capacity or through an outside group or organization (e.g., bargaining group), is affiliated with this department, the employee shall give a specific disclaiming statement that any such speech or expression is not representative of the Pleasant Hill Police Department.

Employees retain their right to vote as they choose, to support candidates of their choice and to express their opinions as private citizens, including as authorized members of a recognized bargaining unit, on political subjects and candidates at all times while off-duty. However, employees may not use their official authority or influence to interfere with or affect the result of an election or a nomination for office. Employees are also prohibited from directly or indirectly using their official authority to coerce, command or advise another employee to pay, lend or contribute
Employee Speech, Expression and Social Networking

anything of value to a party, committee, organization, agency or person for political purposes (5 USC § 1502).

1029.5 PRIVACY EXPECTATION
Employees forfeit any expectation of privacy with regard to anything published or maintained through file-sharing software or any Internet site open to public view (e.g., Facebook, MySpace).

The Department also reserves the right to access, audit and disclose for whatever reason all messages, including attachments, and any information transmitted over any technology that is issued or maintained by the Department, including the department e-mail system, computer network or any information placed into storage on any department system or device.

All messages, pictures and attachments transmitted, accessed or received over department networks are considered department records and, therefore, are the property of the Department. The Department reserves the right to access, audit and disclose for whatever reason all messages, including attachments, that have been transmitted, accessed or received through any department system or device, or any such information placed into any department storage area or device. This includes records of all key strokes or web-browsing history made at any department computer or over any department network. The fact that access to a database, service or website requires a user name or password will not create an expectation of privacy if it is accessed through a department computer or network.
Attachments
Naloxone Usage Reporting Form.pdf
Commission on Peace Officer Standards and Training Hate Crimes Model Policy 2019.pdf
## INDEX / TOPICS

### A

<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>ACCEPTANCE OF BAIL</td>
<td>646</td>
</tr>
<tr>
<td>ACCIDENTAL DISCHARGE</td>
<td>99</td>
</tr>
<tr>
<td>ACKNOWLEDGEMENTS</td>
<td></td>
</tr>
<tr>
<td>Policy manual</td>
<td>31</td>
</tr>
<tr>
<td>Policy revisions</td>
<td>32</td>
</tr>
<tr>
<td>ADDRESS CHANGE</td>
<td>211</td>
</tr>
<tr>
<td>ADMINISTRATIVE INVESTIGATION</td>
<td>90</td>
</tr>
<tr>
<td>ADMINISTRATIVE INVESTIGATIONS</td>
<td></td>
</tr>
<tr>
<td>Vehicle damage</td>
<td>554</td>
</tr>
<tr>
<td>ADMINISTRATIVE LEAVE</td>
<td>700</td>
</tr>
<tr>
<td>ADULT ABUSE</td>
<td></td>
</tr>
<tr>
<td>Investigations</td>
<td>493</td>
</tr>
<tr>
<td>ADULT PROTECTIVE SERVICES</td>
<td>172</td>
</tr>
<tr>
<td>AIRCRAFT</td>
<td></td>
</tr>
<tr>
<td>Accidents</td>
<td>396</td>
</tr>
<tr>
<td>Ambulance</td>
<td>444</td>
</tr>
<tr>
<td>Flying while armed</td>
<td>100</td>
</tr>
<tr>
<td>ALCOHOL</td>
<td></td>
</tr>
<tr>
<td>Vehicle use</td>
<td>553</td>
</tr>
<tr>
<td>ALCOHOL</td>
<td>664</td>
</tr>
<tr>
<td>ALCOHOL USE</td>
<td>664</td>
</tr>
<tr>
<td>ALCOHOLIC BEVERAGE CONTROL PERMITS</td>
<td></td>
</tr>
<tr>
<td>ABC Permits</td>
<td>381</td>
</tr>
<tr>
<td>AMMUNITION</td>
<td></td>
</tr>
<tr>
<td>Gun violence restraining order surrenders.</td>
<td>329</td>
</tr>
<tr>
<td>AMMUNITION</td>
<td>96</td>
</tr>
<tr>
<td>ANTI-REPRODUCTIVE RIGHTS CRIMES</td>
<td>292</td>
</tr>
<tr>
<td>APPOINTMENTS</td>
<td></td>
</tr>
<tr>
<td>Communications supervisor</td>
<td>562</td>
</tr>
<tr>
<td>Coordinator - portable audio/video recorders</td>
<td>416</td>
</tr>
<tr>
<td>Operations director</td>
<td>536</td>
</tr>
<tr>
<td>PIO</td>
<td>250</td>
</tr>
<tr>
<td>ARMORER</td>
<td>99</td>
</tr>
<tr>
<td>ARREST OF PUBLIC SCHOOL TEACHER</td>
<td>308</td>
</tr>
<tr>
<td>ARRESTS</td>
<td></td>
</tr>
<tr>
<td>First amendment assemblies</td>
<td>448, 450</td>
</tr>
<tr>
<td>Log</td>
<td>251</td>
</tr>
<tr>
<td>Seat belts</td>
<td>676</td>
</tr>
<tr>
<td>Sick or injured person</td>
<td>443</td>
</tr>
<tr>
<td>ASSET FORFEITURE</td>
<td></td>
</tr>
<tr>
<td>Procedure</td>
<td>504</td>
</tr>
<tr>
<td>ATTENDANCE</td>
<td>211</td>
</tr>
<tr>
<td>AUDIO/VIDEO RECORDING</td>
<td></td>
</tr>
<tr>
<td>Body-worn cameras</td>
<td>410</td>
</tr>
<tr>
<td>Custodial interrogation</td>
<td>492</td>
</tr>
<tr>
<td>AUDITS</td>
<td></td>
</tr>
<tr>
<td>Case dispositions</td>
<td>499</td>
</tr>
<tr>
<td>Informant files</td>
<td>509</td>
</tr>
<tr>
<td>Informant funds</td>
<td>511</td>
</tr>
<tr>
<td>AUTHORITY</td>
<td></td>
</tr>
<tr>
<td>Policy manual</td>
<td>31</td>
</tr>
<tr>
<td>AUTOMATED BOAT SYSTEM</td>
<td></td>
</tr>
<tr>
<td>ABS</td>
<td>612</td>
</tr>
<tr>
<td>AUTOMATED EXTERNAL DEFIBRILLATORS (AED)</td>
<td></td>
</tr>
<tr>
<td>AUTOMATED FIREARMS SYSTEM</td>
<td></td>
</tr>
<tr>
<td>AFS</td>
<td>613</td>
</tr>
<tr>
<td>AUTOMATED LICENSE PLATE READERS (ALPR)</td>
<td></td>
</tr>
<tr>
<td>AUTOMATED PROPERTY SYSTEM</td>
<td></td>
</tr>
<tr>
<td>APS</td>
<td>614</td>
</tr>
<tr>
<td>AUXILIARY RESTRAINTS</td>
<td>76</td>
</tr>
</tbody>
</table>

### B

<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>BADGE</td>
<td></td>
</tr>
<tr>
<td>Mourning Badge</td>
<td>720</td>
</tr>
<tr>
<td>BARRICADED SUSPECTS</td>
<td>352</td>
</tr>
<tr>
<td>BATON</td>
<td>121</td>
</tr>
<tr>
<td>BETTING</td>
<td>213</td>
</tr>
<tr>
<td>BIOLOGICAL SAMPLES</td>
<td></td>
</tr>
<tr>
<td>Hazards</td>
<td>397</td>
</tr>
<tr>
<td>Missing persons</td>
<td>191</td>
</tr>
<tr>
<td>BIOLOGICAL SAMPLES</td>
<td></td>
</tr>
<tr>
<td>310</td>
<td></td>
</tr>
<tr>
<td>BODY ARMOR</td>
<td>678</td>
</tr>
<tr>
<td>BODY-WORN CAMERAS</td>
<td>410</td>
</tr>
<tr>
<td>BOMBS</td>
<td>357</td>
</tr>
<tr>
<td>Aircraft accidents</td>
<td>397</td>
</tr>
<tr>
<td>BREATH TEST</td>
<td>471</td>
</tr>
<tr>
<td>BRIBE</td>
<td>213</td>
</tr>
<tr>
<td>BUCCAL SWABS</td>
<td>310</td>
</tr>
</tbody>
</table>

### C

<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>CANINE</td>
<td></td>
</tr>
<tr>
<td>Handler Compensation</td>
<td>133</td>
</tr>
<tr>
<td>Request for Use</td>
<td>136</td>
</tr>
<tr>
<td>Selection</td>
<td>137</td>
</tr>
<tr>
<td>Training</td>
<td>142</td>
</tr>
<tr>
<td>CANINE USE REPORTS</td>
<td>135</td>
</tr>
<tr>
<td>CANINES</td>
<td></td>
</tr>
<tr>
<td>Pursuits</td>
<td>423</td>
</tr>
<tr>
<td>CASH</td>
<td></td>
</tr>
<tr>
<td>Audit</td>
<td>511</td>
</tr>
<tr>
<td>Custodial searches</td>
<td>640</td>
</tr>
<tr>
<td>CASH BOX</td>
<td>615</td>
</tr>
<tr>
<td>CHANGE OF ADDRESS</td>
<td>211</td>
</tr>
<tr>
<td>CHANGE OF ASSIGNMENT</td>
<td>688</td>
</tr>
<tr>
<td>CHIEF EXECUTIVE</td>
<td>11</td>
</tr>
<tr>
<td>Section</td>
<td>Page</td>
</tr>
<tr>
<td>---------------------------------</td>
<td>------</td>
</tr>
<tr>
<td>CHILD ABUSE</td>
<td>182</td>
</tr>
<tr>
<td>CHILDREN</td>
<td></td>
</tr>
<tr>
<td>Transporting</td>
<td>677</td>
</tr>
<tr>
<td>CITATIONS</td>
<td>454</td>
</tr>
<tr>
<td>CITE &amp; RELEASE</td>
<td>365</td>
</tr>
<tr>
<td>CITIZEN COMPLAINTS</td>
<td>698</td>
</tr>
<tr>
<td>CIVIL DISPUTES</td>
<td>440</td>
</tr>
<tr>
<td>CIVILIAN/NON-SWORN</td>
<td>31</td>
</tr>
<tr>
<td>CODE-3</td>
<td>127</td>
</tr>
<tr>
<td>COMMAND STAFF</td>
<td></td>
</tr>
<tr>
<td>Policy review</td>
<td>32</td>
</tr>
<tr>
<td>COMMUNICABLE DISEASE</td>
<td></td>
</tr>
<tr>
<td>Health orders</td>
<td>342</td>
</tr>
<tr>
<td>COMMUNICABLE DISEASES</td>
<td></td>
</tr>
<tr>
<td>First responders</td>
<td>442</td>
</tr>
<tr>
<td>COMMUNICATIONS CENTER</td>
<td></td>
</tr>
<tr>
<td>Foot pursuits</td>
<td>426</td>
</tr>
<tr>
<td>Vehicle pursuits</td>
<td>108</td>
</tr>
<tr>
<td>COMPUTERS</td>
<td></td>
</tr>
<tr>
<td>Digital evidence</td>
<td>494</td>
</tr>
<tr>
<td>CONDUCT UNBECOMING</td>
<td>213</td>
</tr>
<tr>
<td>CONFIDENTIAL INFORMATION</td>
<td>216</td>
</tr>
<tr>
<td>CONFIDENTIALITY</td>
<td></td>
</tr>
<tr>
<td>ALPR</td>
<td>430</td>
</tr>
<tr>
<td>Communications center</td>
<td>567</td>
</tr>
<tr>
<td>Informants</td>
<td>507</td>
</tr>
<tr>
<td>Records</td>
<td>582</td>
</tr>
<tr>
<td>CONSULAR OFFICERS</td>
<td>372</td>
</tr>
<tr>
<td>CONTROL DEVICES</td>
<td></td>
</tr>
<tr>
<td>First amendment assemblies</td>
<td>449</td>
</tr>
<tr>
<td>Training</td>
<td>380</td>
</tr>
<tr>
<td>CONTROL DEVICES</td>
<td>118</td>
</tr>
<tr>
<td>CONTROL DEVICES</td>
<td>118</td>
</tr>
<tr>
<td>CORRESPONDENCE</td>
<td>41</td>
</tr>
<tr>
<td>COURT APPEARANCE</td>
<td>257</td>
</tr>
<tr>
<td>COURT ORDERS</td>
<td></td>
</tr>
<tr>
<td>Gun violence restraining order surrenders</td>
<td>329</td>
</tr>
<tr>
<td>Juvenile informants</td>
<td>507</td>
</tr>
<tr>
<td>COURTROOM ATTIRE</td>
<td>260</td>
</tr>
<tr>
<td>COURTROOM PROTOCOL</td>
<td>260</td>
</tr>
<tr>
<td>CRIME ANALYSIS</td>
<td>557</td>
</tr>
<tr>
<td>CRIME SCENE AND DISASTER INTEGRITY</td>
<td>341</td>
</tr>
<tr>
<td>CRIMINAL ACTIVITIES</td>
<td>213</td>
</tr>
<tr>
<td>CRIMINAL ACTIVITY REPORTING</td>
<td>229</td>
</tr>
<tr>
<td>CRIMINAL OFFENDER RECORD</td>
<td></td>
</tr>
<tr>
<td>INFORMATION</td>
<td>601</td>
</tr>
<tr>
<td>CUSTODIAL INTERROGATIONS</td>
<td>492</td>
</tr>
<tr>
<td>CUSTODIAN OF RECORDS</td>
<td>604</td>
</tr>
<tr>
<td>DAILY BULLETIN</td>
<td>334</td>
</tr>
<tr>
<td>DAMAGE BY CITY PERSONNEL</td>
<td>230</td>
</tr>
<tr>
<td>DEADLY FORCE REVIEW</td>
<td>72</td>
</tr>
<tr>
<td>DEATH INVESTIGATION</td>
<td>283</td>
</tr>
<tr>
<td>DEATH NOTIFICATION</td>
<td>284</td>
</tr>
<tr>
<td>DECONFLICTION</td>
<td>538</td>
</tr>
<tr>
<td>DEFECTIVE VEHICLES</td>
<td>550</td>
</tr>
<tr>
<td>DEFINITIONS</td>
<td>31</td>
</tr>
<tr>
<td>DEPARTMENT ORDER</td>
<td>41</td>
</tr>
<tr>
<td>DEPARTMENT OWNED PROPERTY</td>
<td>543</td>
</tr>
<tr>
<td>DEPARTMENT PROPERTY</td>
<td></td>
</tr>
<tr>
<td>Loss Or Damage</td>
<td>544</td>
</tr>
<tr>
<td>DEPARTMENTAL DIRECTIVE</td>
<td>37</td>
</tr>
<tr>
<td>DEPENDENT ADULT</td>
<td>172</td>
</tr>
<tr>
<td>DIPLOMATIC AGENTS</td>
<td>372</td>
</tr>
<tr>
<td>DIPLOMATIC IMMUNITY</td>
<td>371</td>
</tr>
<tr>
<td>DISABLED</td>
<td></td>
</tr>
<tr>
<td>Motorist</td>
<td>482</td>
</tr>
<tr>
<td>DISASTER PLAN</td>
<td>38</td>
</tr>
<tr>
<td>DISCIPLINARY POLICY</td>
<td>211</td>
</tr>
<tr>
<td>DISCLAIMER</td>
<td>30</td>
</tr>
<tr>
<td>DISCLOSING INFORMATION</td>
<td>749</td>
</tr>
<tr>
<td>DISCRIMINATION</td>
<td>212</td>
</tr>
<tr>
<td>DISCRIMINATORY HARASSMENT</td>
<td>224</td>
</tr>
<tr>
<td>DISCRIMINATORY HARASSMENT</td>
<td></td>
</tr>
<tr>
<td>Complaints</td>
<td>227</td>
</tr>
<tr>
<td>Supervisor's Role</td>
<td>226</td>
</tr>
<tr>
<td>DISGRACEFUL CONDUCT</td>
<td>213</td>
</tr>
<tr>
<td>DISHONESTY</td>
<td>213</td>
</tr>
<tr>
<td>DISOBEDIENCE</td>
<td>213</td>
</tr>
<tr>
<td>DISPARAGING REMARKS</td>
<td>213</td>
</tr>
<tr>
<td>DISPUTED CLAIMS</td>
<td>575</td>
</tr>
<tr>
<td>DIVISION</td>
<td>35</td>
</tr>
<tr>
<td>DNA SAMPLES</td>
<td>310</td>
</tr>
<tr>
<td>DOG BITES</td>
<td>135</td>
</tr>
<tr>
<td>DOG INJURIES</td>
<td>136</td>
</tr>
<tr>
<td>DRIVER'S LICENSE</td>
<td>213</td>
</tr>
<tr>
<td>DRUG USE</td>
<td>664</td>
</tr>
<tr>
<td>DUI ENFORCEMENT</td>
<td>470</td>
</tr>
<tr>
<td>DUTY TO INTERCEDE</td>
<td>64</td>
</tr>
<tr>
<td>DUTY WEAPONS</td>
<td>93</td>
</tr>
<tr>
<td>E</td>
<td></td>
</tr>
<tr>
<td>ELDER ABUSE</td>
<td>172</td>
</tr>
<tr>
<td>ELECTRICAL LINES</td>
<td>389</td>
</tr>
<tr>
<td>ELECTRO-MUSCULAR DISRUPTION</td>
<td></td>
</tr>
<tr>
<td>TECHNOLOGY DEVICE</td>
<td>78</td>
</tr>
<tr>
<td>ELECTRONIC CIGARETTES</td>
<td>675</td>
</tr>
<tr>
<td>ELECTRONIC MAIL</td>
<td>39</td>
</tr>
<tr>
<td>EMERGENCY MANAGEMENT PLAN</td>
<td>38</td>
</tr>
<tr>
<td>EMERGENCY UTILITY</td>
<td>389</td>
</tr>
<tr>
<td>EMPLOYEE ASSISTANCE</td>
<td>664</td>
</tr>
<tr>
<td>---------------------</td>
<td>----</td>
</tr>
<tr>
<td>EMPLOYEE COMMENDATIONS</td>
<td>689</td>
</tr>
<tr>
<td>EMPLOYEE CONVICTIONS</td>
<td>662</td>
</tr>
<tr>
<td>EVALUATION</td>
<td>655</td>
</tr>
<tr>
<td>EVIDENCE</td>
<td>494</td>
</tr>
<tr>
<td>Digital</td>
<td>438</td>
</tr>
<tr>
<td>Seizing recordings</td>
<td>359</td>
</tr>
<tr>
<td>EVIDENCE, BOMBS</td>
<td>213</td>
</tr>
<tr>
<td>EXCESSIVE FORCE</td>
<td>358</td>
</tr>
<tr>
<td>EXPLOSIONS</td>
<td>349</td>
</tr>
<tr>
<td>EXPOSURE(S)</td>
<td>668</td>
</tr>
<tr>
<td>EXTENDED ILLNESS</td>
<td>518</td>
</tr>
<tr>
<td>EYEWITNESS IDENTIFICATION</td>
<td>211</td>
</tr>
</tbody>
</table>

| FIREARMS | 583 |
| Removal for vehicle maintenance | 550 |
| Retiree | 56 |
| QUALIFICATIONS | 93 |
| FIREARMS DISCHARGE | 99 |
| FIRST AMENDMENT ASSEMBLIES | 446 |
| FITNESS FOR DUTY | 691 |
| FLOODING | 391 |
| FOOT PURSUIT | 423 |
| FORCE | 72 |
| FOREIGN NATIONALS | 371 |
| Arrest or Detention | 371 |
| Arrest Procedure | 377 |
| In-Custody Arrests | 373 |
| Traffic Collisions | 375 |
| Vehicle Registration | 373 |
| FORMS | 518 |
| Eyewitness identification | 387 |
| ICE | 191 |
| Missing person medical release | 191 |
| Missing person school notification | 191 |
| Missing persons | 191 |

| GAMBLING | 213 |
| GRATUITY | 213 |
| GRIEVANCE PROCEDURE | 660 |
| GRIEVANCES | 31 |
| GROUNDS STANDARDS | 716 |
| GUN VIOLENCE RESTRAINING ORDERS | 327 |

| H | 75 |
| HANDCUFFING | 206 |
| HATE CRIMES | 349 |
| HAZARDOUS MATERIAL | 397 |
| HAZARDOUS MATERIAL (HAZMAT) RESPONSE | 401 |
| AIRCRAFT ACCIDENTS | 458 |
| HIGH-VISIBILITY VESTS | 432 |
| HOMELESS | 372 |
| HONORARY CONSULS | 211 |
| HORSEPLAY | 352 |
| HOSTAGES | 352 |
| NEGOTIATIONS | 211 |

| I | 286 |
| IDENTITY THEFT | 371 |
| IMMUNITY | 507 |
| INFORMANTS | 220 |
| INFORMATION TECHNOLOGY USE | 714 |
| INSPECTIONS | 552 |
| VEHICLES | 213 |
| SUBORDINATION | 479 |
| INTERNET ACTIVITY | 212 |
| INTOXICANTS | 492 |
| INVESTIGATION AND PROSECUTION | 397 |

| J | 624 |
| JAIL | 632 |
| Phone Calls | 366 |
| JAIL RELEASE | 630 |
| JAIL SEARCHES | 109 |
| JURISDICTION | 397 |
| AIRCRAFT ACCIDENTS | 716 |
| JURISDICTIONS | 327 |
| VEHICLE PURSUITS | 211 |
## Personnel Complaints

- Acceptance: 699
- Administrative Searches: 702
- Disposition: 704
- Documentation: 699

## Personnel Files

- Defined: 681
- Purging Of Files: 685
- Requests For Disclosure: 682
- Types Of Personnel Files: 683

## Photos

- Aircraft accidents: 398
- First amendment assemblies: 447
- Photo lineups: 520

## Physical And Mental Examinations

- 692

## Physical Condition

- 215

## PIO

- 250

## Policy Manual

- 30

## Political Activities

- 213

## Political Activity

- 750

## Political Endorsements

- 750

## Press Information Officer

- 250

## Prisoner Phone Calls

- 632

## Prisoner Property Inventory

- 645

## Privacy Expectation

- 751

## Privacy Expectations

- Audio/video recordings: 411
- Vehicles: 552

## Privacy Expectations, Technology Use

- 220

## Private Persons Arrests

- 290

## Prohibited Speech

- 749

## Promotional Process

- 658

## Property Procedures

- Disputed Claims: 575
- Property Handling: 573

## Protected Information

- Communications center: 567
- Records personnel: 582

## Protected Information

- 601

## Protective Custody

- Dependent adults: 178

## Public Recording Of Law Enforcement Activity

- 437

## Pursuit Intervention

- 110

## Pursuit Units

- 104

## Records Bureau

- Impaired driving: 477

## Records Release

- ALPR: 430
- Audio/video recordings: 417
- Child deaths: 188

## ReflectORIZED Vests

- 458

## Report Corrections

- 231

## Report Distribution

- 616

## Report Preparation

- 229

## Reporting Convictions

- 662

## Reporting Domestic Violence

- 662, 662

## Reporting Police Activity

- 382

## Reports

- U visa and T visa certifications: 388

## Reserve Officers

- Coordinator: 263
- Duties: 262
- Firearms Requirements: 267
- Training: 264

## Respiratory Protection Program

- 690

## Response To Calls

- 127

## Restraints

- 74

## Restricted Information

- 252

## Reviews

- Complaints of racial- or bias-based profiling: 336
- Eyewitness identification process - annual: 518
- Policy manual: 32
- Use of force - annual: 71

## Ride-Alone

- Eligibility: 346

## Risk Assessment

- 536

## Roll Call Training

- 339

## Safety

- Canine: 552
- Communications center: 561
- First responder: 341
- Media: 250

## Safety Equipment

- 448
- Seat belts: 676

## School Employee Reporting

- 308

## Search & Seizure

- 154

## Search Warrant

- Service: 156

## Searches

- Crime scene: 342
- Gun violence restraining orders: 328
- Police vehicle inspections: 552
## SEARCHING
- Dead Bodies ................................ 284

- SEAT BELTS .................................. 676

- SECURITY EMPLOYMENT ..................... 710

- SEE POLICE SERVICE DOG .................... 133

- SEIZED CURRENCY ............................. 505

- SELECTION .................................. 137

- SICK LEAVE .................................. 668

- SKELLY PROCEDURE ......................... 218

- SMOKING AND TOBACCO USE ............... 675

- SOCIAL NETWORKING ......................... 748

- SPIT HOOD ................................ 75

- SPIT MASK ................................ 75

- STAFF ....................................... 30

- STAFFING LEVELS ............................ 42

- SUBPOENAS ................................ 257
  - Civil Subpoenas ........................... 259
  - Failure To Appear ......................... 259

## UNIFORM REGULATIONS ........................ 718

## UNLAWFUL ASSEMBLY .......................... 449

## URINE TESTS ................................ 472

## USE OF FORCE ................................ 64
  - First amendment assemblies .............. 449

## UTILITY SERVICE .............................. 389

## V

- VACATION HOUSE CHECKS ..................... 345

- VEHICLE MAINTENANCE ....................... 550

- VEHICLE PURSUITS ........................... 102

- VEHICLES
  - Impound hearings .......................... 468

- VIDEO RECORDINGS
  - First amendment assemblies .............. 447

- VISA CLEARANCE ............................. 611

## W

- WATCH COMMANDERS ......................... 407

- WATER LINES ................................ 389

- WORKERS COMPENSATION ........................ 713